

The Tripura State Civil Services (Leave) Rules, 1986

(As Amended upto 16th Amendment dt. 30.03.2020)



सत्यमेव जयते

GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT

THE TRIPURA STATE CIVIL SERVICES (LEAVE)
RULES, 1986

PREFACE TO THE SECOND EDITION

After issue of the first edition of the Tripura State Civil Services (Leave) Rules, 1986, some amendments have been made, mostly in the light of suggestions received from various departments. This edition incorporates all these amendments for the convenience of users.

Agartala,
The 20th June, 1997.

Secretary,
Government of Tripura,
Finance Department.

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Published in the

EXTRAORDINARY ISSUE OF TRIPURA GAZETTE

Agartala, Monday, September 22, 1986 A. D.
Bhadra 31, 1908 S. E.

GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT

No. F. 1(1)-FIN(G)/78

Dated, Agartala, the 26th June, 1986

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India all other powers enabling him in that behalf, the Governor of Tripura is pleased to make the rules entitled—
“Tripura State Civil Services (Leave) Rules, 1986” as in the Annexure.

Naresh Chandra
Commissioner-cum-Secretary,
Govt. of Tripura.

TRIPURA STATE CIVIL SERVICES
LEAVE RULES

CHAPTER 1

Preliminary

1. Short title and commencement

(1) These rules may be called the Tripura State Civil Services (Leave) Rules, 1986.

(2) They shall be deemed to have come into force on the First day of July, 1986.

2. Extent of application

(1) Save as otherwise provided hereinafter, these rules shall apply to Government Servants appointed to the Civil Services and posts in connection with the affairs of the State of Tripura but shall not apply to—

- (a) persons in daily-rated or casual or part-time employment ;
- (b) persons paid from contingencies ;
- (c) workmen employed in industrial establishment ;
- (d) persons employed in work-charged establishment ;
- (e) persons employed on contract except when the contract provides otherwise ;
- (f) persons in respect of whom special provisions have been made by or under the provisions of the Constitution or any other law for the time being in force ;
- (g) persons serving under any Department of the State Government on deputation from the Central Government or any other source for a limited duration.

(2) The provisions of Tripura State Civil Services (Leave) Rules, 1986 as amended from time to time shall mutatis mutandis apply to the teaching and non-teaching staff of Govt. aided private Schools:

Provided that such employees who may hold full time elective posts will be entitled to avail leave admissible to them as per provision of Rule 28 of Grant-in-Aid Rules (recurring) privately managed Junior High/Senior Basic/High and Class-XII Schools in Tripura Rules, 1978 and Rule 29 of Grant-in-Aid Rules (recurring) to privately managed Primary/Junior Basic Schools in Tripura, Rules, 1978.

3. Definition

(1) In these rules, unless the context otherwise requires —

- (a) "*Accounts Officer*" means the Accountant General, Tripura;
- (b) "*Authority competent to grant leave*" means the authority specified in column (3) of the First Schedule to these rules, competent to grant the kind of leave specified in the corresponding entries in column (2) of the said Schedule ;
- (c) "*Completed years of Service*" or "*One year's continuous service*" means continuous service of specified duration under the State Government and includes the period spent on duty as well as on leave including extraordinary leave ;
- (d) "*Department*" means a Department of the State Government as notified from time to time and includes the Department of Parliamentary Affairs and the Governor's Secretariat;
- (e) "*Date of retirement*" or "*Date of his retirement*" in relation to a Government Servant, means the afternoon of the last day of the month in which the Government servant attains the age prescribed for retirement under the terms and conditions

governing his services;

- (f) "*Foreign Service*" means service in which a Government servant receives his pay with the sanction of the Government from any source other than the Consolidated Fund of the State or the Consolidated Fund of India or the Consolidated Fund of any other State or of a Union Territory;
- (g) "*Form*" means a Form appended to the Second Schedule to these rules;
- (h) "*Government servant in quasi-permanent employ*" means —
- (A) an Officer who, having been declared by the State Public Service Commission or any Department of the Government or any Appointing Authority, as the case may be, to be eligible for appointment to the ministerial service of the State Government, has been appointed to a temporary or officiating vacancy on the understanding given to him writing before he took up the appointment, that the vacancy is expected to become permanent, but is not confirmed after completion of three years' continuous service.
- (B) an Officer who may be declared as quasi-permanent under the Central Civil Services (Temporary Service) Rules, 1965 as adopted by the State Government.
- (i) "*Government servant is permanent employ*" means an Officer who holds substantively or provisionally substantively a permanent post or who would have held a lien on permanent post had the lien not been suspended ;
- (j) "*Vacation Department*" means a Department or part of a Department, to which regular vacations are allowed, during which Government servants serving in the Department are permitted to be absent from duty.



(2) Words and expressions used here and not defined but defined in Fundamental Rules and Supplementary Rules shall have the meanings respectively assigned to them in the Fundamental Rules and Supplementary Rules.

4. Government Servants on temporary transfer or on foreign service

(1) Government servants to whom these rules apply shall continue to be governed by these rules while on temporary transfer to the Central Government or other State Governments or while on foreign service within India.

(2) In the case of Government servants on foreign service outside India (including service with U. N. Agencies within or outside India) or on temporary transfer to Armed Forces of the Union, these rules shall apply only to the extent provided in the terms and conditions of foreign service or temporary transfer, as the case may be.

5. Transfer from Service or post governed by other leave rules

Unless it be otherwise provided in these rules, a permanent Government servant to whom these rules do not apply —

- (a) when transferred temporarily to a service or post to which these rules apply, shall remain subject to the leave rules which were applicable to him before such transfer ; and
- (b) when appointed substantively to a permanent post to which these rules apply, shall become subject to these rules from the date of such appointment, in which case the leave at his credit (both Earned Leave and Half Pay Leave) under the rules previously applicable to him shall be carried forward subject to the maximum limit of accumulation as laid down in rule 26. The leave so carried forward shall first be exhausted before the leave earned under these rules is availed of. The Leave Salary in respect of the leave so carried forward shall be borne by the Department or the Government from which the Government servant is transferred.

6. Permanent transfer/absorption of Government servants in Public Undertakings, Autonomous Bodies, etc.

If a Government servant governed by these rules in permanently transferred to or absorbed in an Undertaking, Autonomous Body of the State Govt. or the Central Government or any other State Government in the interest of Public Service, the authority competent to grant leave to the Government servant shall suo-motu issue an order granting cash equivalent of leave salary in respect of the Earned Leave at the credit of the Government servant on the date prior to the date of his permanent transfer or absorption in the Public Undertaking, Autonomous Body, etc. Subject to a maximum period of 300 days:

Provided that the earned leave so carried forward does not exceed the period between the date on which the Government servant is permanently transferred/absorbed and the date on which he would have retired in the normal course on attaining the prescribed age for retirement had he remained in service under the State Government ;

Provided further that the amount of leave salary for the period of 300 days or less, as the case may be, which is payable by the authority competent to grant leave shall be paid as follows ;

- (a) In case of permanent transfer to/absorption in a State Government Undertaking, Autonomous Body, etc. Payment of leave salary shall be made to the Undertaking, Autonomous Body; and
- (b) In case of permanent transfer to/absorption in the Undertaking/Autonomous Body of the Central Government or other State Governments such payment shall be made to the Government servant concerned.
- (c) The leave salary so granted shall be calculated as per clause (b) of sub-rule (2) of Rule 35 of these Rules ;

Provided further that where the leave salary as above is paid to the Public Undertaking, Autonomous Body, etc. it would be

incumbent upon the Public Undertaking, Autonomous Body, etc. to credit the leave account as maintained by it in respect of the Government servant concerned with the amount of earned leave so carried forward and paid for as above.

CHAPTER II

General Conditions

7. Right to leave

(1) Leave cannot be claimed as of right.

(2) When the exigencies of public service so require, discretion to refuse or revoke leave of any kind is reserved to the authority. But it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the Government servant concerned.

Explanation 1:— The discretion referred to above may be applied by refusing leave to check any attempt at evasion of leave rules. No leave should be granted ignoring the spirit of the rules so that no unintended benefits may be derived by a Government servant.

Explanation 2:— The provisions contained in sub-rule (1) and (2) above have been made in the rules because it is not always possible to let all who want leave at a particular time to have it at that time and there is a limit beyond which depletion of staff cannot be permitted without dislocating the working of the establishment. These provisions are not intended to be used as in effect to abridge the leave entitlement of the staff. Indeed it is desirable in the interest of efficiency of the public service that Government servants take leave at suitable intervals and return to work keen and refreshed.

The leave sanctioning authority may, therefore, encourage Government servants to take leave regularly, preferably annually. In cases where all applications for leave cannot, in the interest of public service, be granted at the same time, the leave sanctioning authority should draw up phased programme for the grant of leave to the applicants by turns with due regard to the principles enunciated.

[G.I., M.F., O.M. No. 7(67)-E. IV/58 dated 12th May, 1958, and G.I., M.H.A., O.M. No. 6/51/60-Ests. (A), dated 25th January 1958 as adopted]

8. Regulation of claim to leave

A Government servant's claim to leave is regulated by the rules in force at the time the leave is applied for and granted.

9. Effect of dismissal, removal or resignation on leave at credit

(1) Except as provided in Rule 35 and this rule, any claim to leave to the credit of a Government servant, who is dismissed or removed or who resigns from Government service, ceases from the date of such dismissal or removal or resignation.

(2) Where a Government servant applies for another post under the State Government but outside his parent office or department and if such application is forwarded through proper channel and the applicant is required to resign his post before taking up the new one, such resignation shall not result in the lapse of the leave to his credit.

(3) A Government servant who is dismissed or removed from service and is reinstated on appeal or revision, shall be entitled to count for leave his service prior to the dismissal or removal, as the case may be.

(4) A Government servant, who having retired on compensation or invalid pension or gratuity is re-employed and allowed to count his past service for pension, shall be entitled to count his former service towards leave.

A temporary Government servant, who having been discharged due to reduction of establishment from one State Government office is re-appointed in the same or another State Government office, shall be allowed to count his past service for pension and leave. If there is no break or the break, if any is converted into joining time with or without pay the past service will count for pension and carry forward of leave will be permissible. Where, however, the period of break in service exceeds 30 days, the question of condoning the break either for the purposes of pension or leave shall have to be examined under the order issued on the subject from time to time

and may be decided by the Administrative Department in consultation with the Finance Department.

AUDIT INSTRUCTION

Continuity of Service benefit for the purpose of leave

In cases where resignation is not deemed as resignation in view of its being covered by Article 418 (b) of C.S.R., continuity of service benefit should be allowed in the matter of leave also.

[Correction No. 46 to the Manual of Audit Instruction (Reprint)]

10. Commutation of one kind of leave into another

(1) At the request of a Government servant, the authority which granted him leave may commute it retrospectively into leave of a different kind which was due and admissible to him at the time the leave was granted, but the Government servant cannot claim such commutation as a matter of right.

(2) The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the Government servant, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

NOTE:—Extra-ordinary leave granted on medical certificate or otherwise may be commuted retrospectively into “leave not due” subject to the provisions of Rule 30.

NOTE:—Powers under this rule shall not be exercised after the employee concerned has ceased to be in service and the provisions contained in Rule 9 and 35 (1) have become operative.



11. Combination of different kinds of leave

Except as otherwise provided in these rules, any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

EXPLANATION:—(i) Casual leave which is not recognised as leave under these rules shall not be combined with any kind of leave admissible under these rules.

(ii) As a general rule it is open to the competent authority to grant casual leave in combination with special casual leave, but in cases where it is permissible to grant regular leave in combination with special casual leave, Casual Leave should not be granted in combination with both special casual leave and regular leave.

[G. I., M.H.A., O.M. No. 46/8/57-Ests. (A) dated 22.07.1967 as adopted]

(iii) Since casual leave cannot be combined with regular leave, a Government servant who has only half-a-day's Casual Leave at his credit should satisfy himself that he would be in a position to attend office on the next working day, before, he avails of a half-a-day's casual leave in the afternoon of any working day. Nevertheless, it is possible in some cases that a Government servant who avails himself of half-a-day's casual leave in the afternoon may be unable to attend resume duty on the next working day because of unexpected illness or some other compelling grounds and is thus constrained to take regular leave for that day. In such a case, the Government servant concerned may, as an exception to the general rule, be permitted to combine half-a-day's casual leave with regular leave if his absence on the next working day was due to sickness or any other compelling ground. Those who have already applied for leave of the kind due and admissible to cover their absence for that working day and for subsequent days, if any, should not, however, be allowed the last half-a-day's casual leave for that afternoon.

[G.I., M.H.A., O.M. No. 60/45/65 - Estts. (A), dated 4-2-66 as adopted]

12. Maximum amount of continuous leave

Unless the Governor, in view of the exceptional circumstances of the case otherwise determines, no Government servant shall be

granted leave of any kind for a continuous period exceeding five years.

¹[(1) : A government servant shall be deemed to have resigned from the service if he –

- (a) is absent without authorization for a period of one year ; or
- (b) remains absent from duty for a continuous period of five years, with or without leave ; or
- (c) continues on foreign service beyond the period approved by the Government :

Provided that a reasonable opportunity to explain the reason for such absence or continuation on foreign service shall be given to the servant before the provisions of this rules are invoked.]

13. Acceptance of Service or employment while on leave

A Government servant (other than a Government servant who has been permitted a limited amount of private practice or who has been permitted to undertake casual literary work or service as an examiner or similar employment) while on leave, including leave preparatory to retirement, shall not take up any service or employment elsewhere, including the setting up of a private professional practice as Accountant, Consultant or legal or medical practitioner without the previous sanction of the Government in the Finance Department.

1. Inserted by the Tripura State Civil Services (Leave) (11th Amendment) Rules, 2013, vide Finance Dept. notification No.F.I.(1)-FIN(G)/86, dt. 20.06.2013

CHAPTER III

Grant of and Return from Leave**14. Application for leave**

Any application for leave or for extension of leave shall be made in Form 1 to the authority competent to grant leave.

15. Leave Account

A leave account shall be maintained in Form 2 for each Government servant by the Accounts Officer in the case of Gazetted Government servant and by the Head of Office or an Officer authorised by him in case of non-gazette Government servants.

16. Verification of title to leave

(1) No leave shall be granted to a Government servant until a report regarding its admissibility has been obtained from the authority maintaining the leave account.

NOTE: —The order sanctioning leave shall indicate the balance of earned leave/half pay leave at the credit of the Government servant.

- (2) (a) Where there is reason to believe that the obtaining of admissibility report shall be unduly delayed, the authority competent to grant leave may calculate, on the basis of available information, the amount of leave admissible to the Government servant and issue provisional sanction of leave for a period of sixty days.
- (b) The grant of leave under this sub-rule shall be subject to verification by the authority maintaining the leave account and a modified sanction may be issued, where necessary.
- (c) In the case of Gazetted Government servants, the Accounts Officer may, at the request of the authority competent to grant leave, issue a provisional leave salary slip for a period not exceeding sixty days.

NOTE: —In the case of leave preparatory to retirement or where cash payment in lieu of leave at the credit of the Government servant is granted under Rule 35, an undertaking for recovery of leave salary, if any, paid in excess, shall be taken from the Government Servant.

17. Leave not to be granted under certain circumstances

Leave shall not be granted to a Government servant whom a competent punishing authority has decided to dismiss, remove or compulsorily retire from Government service.

NOTE: —Leave may not be granted to a Government servant under suspension.

18. Grant of leave on medical certificates to Government servants

(1) An application for leave on medical certificate shall be accompanied by a medical certificate in Form 3 given by an authorised Medical Attendant or a Registered Medical Practitioner, defining as clearly as possible the nature and probable duration of the illness.

(2) A medical Officer shall not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the Government servant concerned will ever be fit to resume his duties and in such case, the opinion that the Government servant is permanently unfit for Government service shall be recorded in the medical certificate.

(3) The authority competent to grant leave may, at its discretion secure a second medical opinion by requesting a Government Medical Officer not below the rank of a Civil Surgeon or staff Surgeon, to have the applicant medically examined on the earliest possible date.

(4) It shall be the duty of the Government Medical Officer referred to in sub-rule (3) to express an opinion both as regards the facts of the illness and as regards the necessity for the amount of leave recommended and for that purpose he may either require the applicant to appear before himself or before a medical officer

nominated by himself.

(5) The grant of a medical certificate under this rule does not in itself confer upon the Government servant concerned any right to leave ; the medical certificate shall be forwarded to the authority competent to grant leave and order of that authority awaited.

(6) The authority competent to grant leave may, at its discretion, waive the production of a medical certificate in case of an application for leave for a period not exceeding three days at a time. Such leave shall not, however, be treated as leave on medical certificate.

NOTE: —Government servant should avail, as far as possible, of the services of Government doctors wherever they are available.

19. Leave to Government servant who is unlikely to be fit to return to duty

- (1) (a) When a medical authority has reported that there is no reasonable prospect that the Government servant will ever be fit to return to duty, leave shall not necessarily be refused to such a Government servant.
- (b) The leave may be granted, if due, by the authority competent to grant leave on the following conditions: —
 - (i) if the medical authority is unable to say with certainty that the Government servant will never again be fit for service, leave not exceeding twelve months in all may be granted and such leave shall not be extended without further reference to a medical authority ;
 - (ii) if a Government servant is declared by a medical authority to be completely and permanently incapacitated for further service, leave or an extension of leave may be granted to him after the report of the medical authority has been received, provided the amount of leave as debited to the leave account together with any period of duty beyond the date of the report of the medical authority does not exceed six months.

(2) A government servant who is declared by a medical authority to be completely and permanently incapacitated for further service shall —

- (a) if he is on duty, be invalidated from service from the date of relief of his duties, which should be arranged without delay on receipt of the report of the medical authority; if, however, he is granted leave under sub-rule (1) he shall be invalidated from service on the expiry of such leave ;
- (b) if he is already on leave, be invalidated from service on the expiry of that leave or extension of leave, if any, granted to him under sub-rule (1).

20. Commencement and termination of leave

Except as provided in Rule 21, leave ordinarily begins on the day on which the transfer of charge is effected and ends on the day preceding that on which the charge is resumed.

NOTE:—(1)(i) Where regular leave is availed of in continuation of quarantine leave the Government servant should hand over charge in the forenoon of the date of commencement of regular leave.

(ii) Where quarantine leave is availed of in continuation of regular leave, the Government servant should take over charge on the expiry of the quarantine leave.

(iii) Where quarantine leave is sandwiched between two spells of regular leave the charge should be handed over in the forenoon of the date of commencement of the first spell of regular leave and taken over on the expiry of the second spell of regular leave.

Note: — 2. If a Government servant is transferred to foreign service while on leave, he ceases, from the date of such transfer, to be on leave and to draw leave salary.

Note: — 3. If a Government servant takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave, and on the expiry of the leave he may be allowed normal joining time.

Provided that in cases where leave on medical ground is taken after availing the normal joining time, the split up of the spell of absence allowing joining time first and leave afterwards may be allowed to stand.

21. Combination of holidays with leave

(1) (i) When the day, immediately preceding the day on which a Government servant's leave (other than leave on medical certificate) begins or immediately following the day on which his leave expires, is a holiday or one of a series of holidays, the Government servant shall be deemed to have been permitted (except in cases where for administrative reasons permission for prefixing/suffixing holidays to leave is specifically withheld) to leave his station at the close of the day before, or return to it on the day following such holiday or series of holidays, provided that : —

- (a) his transfer or assumption of charge does not involve the handing or taking over of securities or moneys other than a permanent advance ;
- (b) his early departure does not entail a correspondingly early transfer from another station of a Government servant to perform his duties ; and
- (c) the delay in his return does not involve a corresponding delay in the transfer to another station of the Government servant who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.

(ii) In the case of leave on medical certificate: —

- (a) When a Government servant is certified medically unwell to attend office, holiday(s) if any, immediately

preceding the day he is so certified shall be allowed automatically to be prefixed to leave and the holiday(s), if any, immediately succeeding the day he is so certified (including that day) shall be treated as part of the leave ; and

- (b) When a Government servant is certified medically fit for joining duty, holiday(s), if any, succeeding the day he is so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s) if any, preceding the day he is so certified shall be treated as part of the leave.
- (2) On condition that the departing Government servant remains responsible for the moneys in his charge, the Head of Department may, in any particular case, waive the application of clause (a) of the proviso to sub-rule (1).
- (3) Unless the authority competent to grant leave in any case otherwise directs —
- (a) if holidays are prefixed to leave, the leave and any consequent rearrangement of pay and allowances take effect from the day after the holidays ; and
- (b) if holidays are suffixed to leave, the leave is treated as having terminated and any consequent rearrangement of pay and allowances takes effect from the day on which the leave would have ended if holidays had not been suffixed.

NOTE:—1. A Compensatory leave granted in lieu of duty performed by a Government servant on Sunday or a holiday for a full day may be treated as a holiday for the above purpose.

NOTE:—2. Restricted holiday can be prefixed or suffixed to regular leave or casual leave.

22. Recall to duty before expiry of leave

In case a Government servant is recalled to duty before the

expiry of leave, such recall to duty shall be treated as compulsory in all cases and the Government servant shall be treated as on duty from the date on which he starts for the Station to which he is order, and shall draw—

- (i) travelling allowance under rules made in this behalf for the journey, from the station where he was spending the leave ;
- (ii) leave salary, until he joins his post, at the same rate at which he would have drawn it but for recall to duty.

EXPLANATION— Where the Government servant is spending his leave at any place out of India travelling allowance under clause (i) of this rule shall be admissible from the point at which he enters India.

23. Return from leave

(1) A Government servant on leave shall not return to duty before the expiry of the leave granted to him unless he is permitted to do so by the authority which granted him leave.

(2) Notwithstanding anything contained in sub-rule (1), a Government servant on leave preparatory to retirement shall be precluded from returning to duty, save with the consent of the authority competent to appoint him to the post from which he proceeded on leave preparatory to retirement.

(3) A Government servant who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness in Form-4 duly signed by a Government Medical Officer or a registered medical Practitioner or the Members of the Medical Boards, as the case may be.

(4) (a) A Government servant returning from leave is not entitled, in the absence of specific order to that effect, to resume as a matter of course the post which he held before going on leave.

(b) Such Government servant shall report his return to duty to the authority which granted him leave or to the authority, if any, specified in the order granting him

leave and wait orders.

NOTE:—1. A Government servant who had been suffering from tuberculosis may be allowed to resume duty on the basis of fitness certificate which recommends light works for him.

NOTE:—2. Temporary Government servants suffering from pulmonary tuberculosis, who are granted Extra-ordinary leave under Rule 14 (b) of the Revised Leave Rules, 1933 [C. Rule 31 (2) (c)], should produce a certificate of fitness either from the Medical Officer-in-charge of the Hospital or the recognised sanatorium or from a T. B. Specialist recognised by the State Government.

24. Absence after expiry of leave.

(1) Unless the authority competent to grant leave extends the leave, a Government servant who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that period shall be debited against his leave account as though it were half pay leave, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.

(2) Wilful absence from duty after the expiry of leave renders a Government servant liable to disciplinary action.

NOTE:— Treatment of wilful absence from duty not recognised —

Wilful absence from duty, even though not covered by grant of leave does not entail loss of lien. The period of absence not covered by grant of leave shall have to be treated as "dies non" for all purposes, viz., increment, leave and pension. Such absence without leave where it stands singly and not in continuation of any authorised leave of absence will constitute an interruption of service for the purpose of pension and unless the pension sanctioning authority exercises its powers under Article 421, Civil Service Regulations [now Rule 27 of the Central Civil Services (Pension) Rules] to treat the period as leave without allowance, the entire past service will stand forfeited.

[C. & A.G., U.O. No. 1947-A/438-58, dated the 12th September 1958 in G.I., M.F. File No. 11 (52)-E, V/58]

AUDIT INSTRUCTION

Period of overstayal of leave does not count for increment —

A period of overstayal of leave does not count for increments in a time-scale unless under F.R. 85(b) [of Rule 10] it is commuted into extraordinary leave and under the proviso to F. R. 26 (b) the extraordinary leave is specially allowed to count for increment.

[Para 6 (iii), Chapter-IV, Sec. I of Manual of Audit Instructions (Reprint) as adopted.]

CHAPTER IV

Kinds of Leave due and admissible**25. Earned leave for Government servants serving in Departments other than Vacation Department**

- (1) (a) Earned leave shall be credited to the leave Account of a Government servant, who is serving in a Department other than a Vacation Department at the rate of 2½ days for each completed calendar month of service which he is likely to render in a half year of the calendar year in which he comes under the provision of these rules or in which he is appointed as the case may be. The Leave Account shall be credited with earned leave in advance in two instalments (of 15 days each in case of two full half-years) on the first day of January and July every calendar year.

¹["provided that the non-gazetted TSR personnel shall be allowed to exercise option either to the entitlement of existing Special Compensatory Allowance or crediting of additional 30 (thirty) days Earned Leave in a calendar year subject to total limit of 300 days during whole service. The credit of additional leave shall be made in the manner as stipulated in Rule 25(1)".]

- (b) The leave at the credit of a Government servant at the close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half year do not exceed the maximum limit of [300]² days.

³[(c).... & (d)...]

1. Inserted by the T.S.C.S. (Leave) (7th Amendment) Rules, 1986, come into force w.e.f. 01.01.2011, published in Tripura Gazette Ext.O. Issue, dt. 28.07.2011.]

2. Enhanced by Office Memorandum No. F.1(1)-FIN(G)/98, dt. 30.01.1999. w.e.f. 01.01.1999.

3. Deleted *ibid*.

- (c) A period spent in foreign service shall count as duty for the purposes of this rule, if contribution towards leave salary is paid on account of such period.
- (2) Subject to the provisions of Rules 7 and 35 and sub-rule (1) of this Rule, the maximum earned leave that may be granted at a time shall not be in excess of 120 days.

NOTE: —1. For the purpose of application these Rules from 1st July, 1986, the earned leave account of a Government servant shall be closed on 30th June, 1986 (inclusive) as per rules of Revised Leave Rules, 1933 and the balance of leave at credit worked out in days, ignoring the fraction of a day, if any. If the Government servant is on leave from that date or from an earlier date, the balance of earned leave at credit which shall be carried forward to the 1st day of July, 1986, from which date these rules come in force, shall be worked out after deducting the period of earned leave upto 30th June, 1986 (inclusive), the fraction of a day being ignored.

NOTE :—2. In cases where a Government servant avails of earned leave extending beyond the close of the half-year into the next half-year, the portion of leave which fails in the half-year which is coming to a close is to be deducted from the leave at the credit of the Government servant and the balance leave carried forward to the next half-year. The advance credit of 15 days due at the commencement of the next half-year shall be 1st allowed subject to the provisions in clause (b) of sub-rule (1) of this Rule ; that portion of leave which falls in the next half year is then to be debited in the leave Account.

NOTE: —3. If a Government servant is on leave on the last day of any particular half of a calendar year, he may be allowed to avail himself of the advance credit of earned leave becoming due to him on the first day of the succeeding half year, provided the authority competent to grant leave has reason to believe that the Government servant will return to duty on its expiry.

26. Calculation of earned leave for in complete half-yearly periods or for half-years with Extra-ordinary leave, etc.

(1) (a) The credit for half year in which a Government servant is due to retire or resigns from service shall be afforded only at the rate of 2½ days for each completed calendar month up to the date of retirement or resignation.

(b) When a Government servant is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of 2½ days for each completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.

(2) If a Government servant has availed of extraordinary leave and/or some period of his absence has been treated as dies-non in a half-year, the credit to be afforded to his leave account at the commencement of the next half year shall be reduced by 10/1-th of the period of such leave and /or dies-non subject to a maximum of 15 days.

(3) While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day.

27. Earned leave for persons serving in Vacation Department

(1) [Subject to the Provision of sub-Rule (4)]¹, [a]² Government servant serving in a Vacation Department shall not be entitled to any earned leave in respect of duty performed in any year in which he avails himself of the full vacation.

(2) (a) In respect of any year in which a Government servant avails himself of a portion of the vacation, he shall be entitled to earned leave in such proportion of 30 days as the number of days of vacation not taken bears to the full vacation :

Provided that no such leave shall be admissible to a Government servant not in permanent or quasi-permanent employ

1. Inserted by the Tripura State Civil Services (Leave) (2nd Amendment) Rules, 1992, vide Fin. Dept. Notification No.F.1(1)-FIN(G)/78, dt.22.06.1992 w.e.f. 01.01.1992.

2. Substituted *ibid*.



in respect of the first year of his service.

(b) If in any year the Government servant does not avail himself of any vacation, earned leave shall be admissible to him in respect of that year under Rule 25.

EXPLANATION:— For the purpose of this rule, the term “year” shall be construed not as meaning a calendar year in which duty is performed but as meaning twelve months of actual duty in a vacation Department.

NOTE:— 1. A Government servant entitled to vacation shall be considered to have availed himself of a vacation or a portion of a vacation unless he has been required by general or special order of a higher authority to forge such vacation or portion of a vacation:

Provided that if he has been prevented by such order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

NOTE:— 2. When a Government servant serving in a vacation department proceeds on leave before completing a full year of duty, the earned leave admissible to him shall be calculated not with reference to the vacations which fall during the period of actual duty rendered before proceeding on leave but with reference to the vacations that fall during the year commencing from the date on which he completed the previous year of duty.

(3) Vacation may be taken in combination with or in continuation of any kind of leave under these rules:

Provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed in the amount of earned leave due and admissible to the Government servant at a time under Rule 25.

NOTE: — 1. In case of Government servants who are allowed two vacations in the year, the periods of two vacations should be regarded as combined into one.

NOTE: — 2. Since vacation is deemed as duty under F.R. 82(b),

there would be no objection to combining it with casual leave which is also treated as duty.

NOTE: — 3. The vacation can either be prefixed or suffixed by any kind of leave but it cannot be both prefixed and suffixed. In case other kinds of leave are both prefixed and suffixed, the vacation will be treated as leave.

¹[(4) Teaching and non-teaching staff of Government schools (Higher Secondary, High, Junior High, Senior Basic., Primary, Junior Basic), Basic Training Colleges and Sanskrit Vidyabhavan are entitled to earn [twenty]² days Earned Leave a year. The leave Account shall be credited with Earned Leave in advance (in two instalments of ten days each in case of two full half year) on the first day of January, and July in every calendar year:

Provided that total period of Earned Leave including leave earned under proviso to clause (a) of sub-rule (2) of 27 shall not exceed thirty days a year.

Provided further that the employees specified above shall be entitled to enjoy puja holidays for a total period not exceeding eighteen calendar days a year (fifteen days during Durga Puja and three days during Kalipuja) and that they shall be allowed to avail Earned Leave in not more than two spells in a year.]

28. Half Pay Leave

(1) (a) A Government servant shall be entitled to half pay leave of 20 days in respect of each completed year of service.

³["Provided that all staff as specified, in sub-rule (4) of rule 27 shall be entitled to half pay leave of ten days in respect of each completed year of service".]

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1. Inserted by the Tripura State Services (Leave) (2nd Amendment) Rules, 1992 vide Fin. Dept. notification No.F.1(1)-FIN(G)/78, dt. 22.06.1992. w.e.f. 01.01.1992.
 2. Substituted by the Tripura State Civil Services (Leave) (10th Amendment) Rules, 2012 vide Fin. Dept. notification No.F.1(1)-FIN(G)/78, dt. 12.11.2012. w.e.f. 01.12.2012.
 3. Inserted by the Tripura Civil Services (Leave) (2nd Amendment) Rules, 1992, vide Fin. Dept. notification No.F.1(1)-FIN(G)/78, dt. 22.06.1992, w.e.f. 01.01.1992.

- (b) The leave due under clause (a) may be granted on medical certificate or on private affairs.

Provided that in the case of a Government servant not in permanent or quasi-permanent employ, no half pay leave may be granted unless the authority competent to grant leave has reason to believe that the Government servant will return to duty on its expiry except in the case of a Government servant who has been declared completely and permanently incapacitated for further service by a medical authority.

(2) If a Government servant is on leave on the day on which he completes a year of service, he shall be entitled to half pay leave without having to return to duty.

NOTE: — For the purpose of this rule, the following periods will not be taken as service and in such cases each completed year of service shall be determined afresh:

- (a) A period of foreign service when no leave salary contribution is paid.
- (b) A period of absence treated as dies-non.
- (c) A period of suspension treated as dies-non.
- (d) A period of suspension which has not specifically been allowed to count towards leave.

29. Commuted leave

(1) Commuted leave not exceeding half the amount of half pay leave due may be granted on medical certificate to a Government servant, subject to the following conditions :—

- (a) the authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry ;
- (b) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due.

(2) Half pay leave up to a maximum of 180 days may be allowed to be commuted during the entire service (without production of medical certificate) where such leave is utilised for an approved course of study certified to be in the public interest by the leave sanctioning authority.

(3) Where a Government servant who has been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered.

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the Government servant for further service or in the event of his death.

(4) Where the service of a Government is extended in the interest of public service beyond the date of his retirement on superannuation, he may be allowed to carry forward the half pay leave at his credit on the date of retirement and granted such leave in terms of Rules 28 and 29 during the period of extension of his service, provided that he shall cease to earn any half pay leave during the period of such extension of his service.

NOTE:—Commutated leave may be granted at the request of the Government servant even when earned leave is due to him.

30. Leave not due

(1) Save in the case of leave preparatory to retirement, leave not due may be granted to a Government servant in permanent employ or Quasi-permanent employ, subject to the following conditions :—

- (a) the authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry ;
- (b) leave not due shall be limited to the half pay leave he is likely to earn thereafter ;

- (c) leave not due during the entire service shall be limited to a maximum of 360 days, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate ;
 - (d) leave not due shall be debited against the half pay leave the Government servant may earn subsequently.
- (2) (a) Where a Government servant who has been granted leave not due resigns from service or at his request permitted to retire voluntarily without returning to duty, the leave not due shall be cancelled, his resignation or retirement taking effect from the date on which such leave had commenced, and the leave salary shall be recovered.
- (b) Where a Government servant who having availed himself of leave not due returns to duty but resigns or retires from service before he has earned such leave, he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently:

Provided that no leave salary shall be recovered under clause (a) or clause (b) if the retirement is by reason of ill-health incapacitating the Government servant for further service or in the event of his death ;

Provided further that no leave salary shall be recovered under clause (a) or clause (b), if the Government servant is compulsorily retired prematurely under Rule 48 (1) (b) of the Central Civil Services (Pension) Rules, 1972, as adopted by the State Government or is retired under Fundamental Rule 56 (j) or Fundamental Rule 56 (I).

AUDITOR GENERAL'S DECISION

Leave "not due" can be granted under Fundamental Rule 82 (c) (ii) (of Rule 30) to an officer whose leave account shows a debit balance in consequence of the grant of leave "not due" on a previous occasion. It was the avowed object in framing the new leave rules in the Fundamental Rules to remove from the rules themselves

restrictions which could be applied by the administrative action of the authorities and consequently the authority competent to sanction leave can always refuse to grant a fresh period of leave "not due" if the application to such leave is not supported by a medical certificate.

[Ar. G's No. 98-A/492-93, dated the 28th January, 1924]

31. Extraordinary leave

(1) Extraordinary leave may be granted to a Government servant in special circumstances—

- (a) when no other leave is admissible ;
- (b) when other leave is admissible, but the Government servant applies in writing for the grant of extraordinary leave.

(2) Unless the Governor in view of the exceptional circumstances of the case otherwise determines, no Government servant, who is not in permanent employ or quasi-permanent employ, shall be granted extraordinary leave on any one occasion in excess of the following limits—

- (a) three months;
- (b) six months, where the Government servant has completed one year's continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months extraordinary leave under clause (a) and his request for such leave is supported by a medical certificate as required by these rules;
- (c) eighteen months, where the Government servant who has completed one year's continuous service is undergoing treatment for—
 - (i) pulmonary tuberculosis or pleurisy of tubercular origin, in the Government hospital or in any sanatorium recognised by the state Government.

NOTE: —The concession of extraordinary leave up to eighteen months shall be admissible also to a Government servants suffering from pulmonary tuberculosis or pleurisy of tubercular origin who receives treatment at his residence under tuberculosis specialist recognised as such by the State Government and produces a certificate signed by that specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of the leave recommended.

- (ii) Leprosy in a recognised leprosy institution or by a specialist in leprosy hospital recognised as such by the State Government;
 - (iii) Cancer or for mental illness, in Government hospital or in an institution recognised by the State Government for the treatment of such disease.
- (d) twenty-four months, where the leave is required for the purpose of prosecuting studies certified to be in the public interest, provided the Government servant concerned has completed three years continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months' extraordinary leave under clause (a)
- (3) (a) Where a Government servant is granted extraordinary leave in relaxation of the provisions contained in clause (d) of sub-rule (2), he shall be required to execute a Bond in Form 5 undertaking to refund to the Government the actual amount of expenditure incurred by the Government during such leave plus that incurred by any other agency with interest thereon in the event of his not returning to duty on the expiry of such leave or quitting the service before a period of three years after return to duty.
- (b) The Bond shall be supported by sureties from two permanent Government servants having a status comparable to or higher than that of the Government servant.

(4) Government servants belonging to the Scheduled Castes or the Scheduled Tribes communities may, for the purpose of attending the Pre-Examination Training Course at the centres notified by the Government from time to time, be granted extraordinary leave by Heads of Departments in relaxation of the provisions of sub-rule (2).

(5) Two spells of extraordinary leave, if intervened by any other kind of leave, shall be treated as one continuous spell of extraordinary leave for the purposes of sub-rule (2).

(6) The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

NOTE: —Two spells of extraordinary leave intervened by a spell of special casual leave should be treated as one spell for purposes of limits prescribed in Rule 14(b), R.L.R. [C. Rule 31(5)]. If the limits prescribed in that rule are thereby exceeded, extraordinary leave may be granted in relaxation of the rule in consultation with the Government in the Finance Department.

32. Leave to probationer, a person on probation and an apprentice

(1) (a) A probationer shall be entitled to leave under these rules if he had held his post substantively otherwise than on probation.

(b) If, for any reason, it is proposed to terminate the services of a probationer, any leave which may be granted to him shall not extend—

(i) beyond the date on which the probationary period as already sanctioned or extend expires, or

(ii) beyond any earlier date on which his services are terminated by the orders of an authority competent to appoint him.

(2) A person appointed to a post on probation shall be entitled to leave under these rules as a temporary or a permanent Government servant according as his appointment is against a temporary or a permanent post:



Provided that where such person already holds a lien on a permanent post before such appointment he shall be entitled to leave under these rules as a permanent Government servant.

(3) An Apprentice shall be entitled to—

(a) leave, on medical certificate, on leave salary equivalent of half pay for a period not exceeding one month in any year of apprenticeship;

(b) extraordinary leave under Rule 31.

NOTE: —The leave at the credit of a Government servant on the date of his appointment as an apprentice under a Department should not lapse but may be allowed to be carried forward on his appointment to a post under such Department on the expiry of the period of apprenticeship.

33. Persons re-employed after retirement

In the case of a person re-employed after retirement, the provisions of these rules shall apply as if he had entered Government service for the first time on the date of his re-employment.

34. Leave Preparatory to retirement

(1) A Government servant may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding [300]¹ days together with half pay leave due, subject to the condition that such leave extends up to and includes the date of retirement.

NOTE: — The leave granted as leave preparatory to retirement shall not include extraordinary leave.

(2) (a) Where a Government servant who is on foreign service in or under any local authority or a corporation or company wholly or substantially owned or controlled by the Government or a body controlled or financed by

1. Enhanced by Office Memorandum of Finance Dept. bearing No. F.1(1)-FIN(G)/98, dt. 30.01.1999. w.e.f. 01.01.1999.

the Government (hereinafter referred to as the local body) applies for leave preparatory to retirement the decision to grant or refuse such leave shall be taken by the foreign employer with the concurrence of the lending authority under Government.

- (b) The Government servant on foreign service shall also be allowed to encash earned leave at his credit on the date of retirement in the manner provided in sub-rule (2) of Rule 35.
- (c) In case the lending authority under the State Government is not agreeable to the refusal of leave preparatory to retirement, it shall be granted to the Government servant and if the foreign employer needs the services of the officer during that period, the Government servant may be re-employed by that employer concurrently with leave preparatory to retirement and leave salary regulated in accordance with the provisions of clause (b) of sub-rule (5) of Rule 36.

(3) Where a Government Servant is on foreign service in or under a local body other than the one mentioned in clause (a) of sub-rule (2), leave preparatory to retirement shall be admissible to him only when he quits duty under the foreign employer:

Provided that where the Government servant continues in service under such foreign employer, the Government servant shall not be eligible for grant of cash payment in lieu of leave under Rule 35.

35. Leave/Cash payment in lieu of leave beyond the date of retirement or quitting of service

- (1) No leave shall be granted to a Government servant beyond —
 - (a) the date of his retirement, or
 - (b) the date of his final cessation of duties, or

(c) the date on which he retires by giving notice to the Government or he is retired by Government by giving him notice or pay and allowances in lieu of such notice, in accordance with the terms and conditions of his service, or

(d) the date of his resignation from service.

(2) (a) Where a Government servant retires on attaining the normal age prescribed for retirement under the terms and conditions governing his service, the authority competent to grant leave shall *suo motu* issue an order granting cash equivalent of leave salary for earned leave, if any, at the credit of the Government servant on the date of his retirement subject to a maximum of [300]¹ days.

(b) The cash equivalent under clause (a) shall be calculated as follows and shall be payable in one lump sum as a one-time settlement. No House Rent Allowance or City Compensatory Allowance shall be payable:

Pay admissible on the date of retirement plus dearness allowance admissible on that date.	Number of days of unutilised earned leave at credit on the date of retirement subject to a maximum of 300 ^[1] days.
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Cash equivalent = 30 X

(3) A Government servant, who retired from service on attaining the age of retirement while under suspension, shall become eligible for the benefit of cash equivalent of earned leave that was at his credit on the date of his retirement calculated in the manner provided in clause (b) of sub-rule (2), on conclusion of proceedings against him, if the authority competent to reinstate him in service holds that the suspension was wholly unjustified.

1. Enhanced by Office Memorandum No. F.1(1)-FIN(G)/98, dt. 30.01.1999, w.e.f. 01.01.1999.

(4) (a) Where the service of a Government servant has been extended, in the interest of public service beyond the date of his retirement, he may be granted :—

- (i) during the period of extension, any earned leave due in respect of the period of such extension plus the earned leave which was at his credit on the date of his retirement subject to a maximum of [150]¹ days as prescribed in Rule 25.
 - (ii) after expiry of the period of extension, cash equivalent in the manner provided in sub-rule (2) in respect of earned leave at credit on the date of retirement, plus the earned leave earned during the period of extension, reduced by the earned leave availed of during such period, subject to a maximum of [300]¹ days.
- (b) The cash equivalent payable under sub-rule (ii) of clause (a) of this sub-rule shall be calculated in the manner indicated in clause (b) of sub-rule (2) above.

(5) A government servant who retires or is retired from service in the manner mentioned in clause (c) of sub-rule (1) may be granted, *suo motu* by the authority competent to grant leave, cash equivalent of the leave salary in respect of earned leave at his credit subject to a maximum of [300]¹ days [...]². The cash equivalent shall be [calculated in the manner indicated in clause (b) of sub-rule (2) of Rule 35]³. The amount of calculated shall be paid in one lump sum as a onetime settlement.

Provided further that a Government servant who is retired by Government by giving him pay and allowances in lieu of notice, may apply for earned leave only within the period for which such pay and allowances were given, and where he is granted leave, the leave salary shall be allowed only for the period of leave excluding that

1. Enhanced by Office Memorandum No. F.1(1)-FIN(G)/98, dt. 30.01.1999. w.e.f. 01.01.1999.
2. Omitted by the Tripura State Civil Services (Leave) (1st Amendment) Rules, 1989, vide Fin. Dept. notification No. F.1(1)-FIN(G)/87, dt. 29.03.1989 w.e.f. 01.01.1988.
3. Substituted *ibid*.

period for which pay and allowances in lieu of notice have been allowed and such leave salary shall not be more than the amounts as admissible under clause (b) of sub-rule (2) of this Rule.

- (6) (a) (i) Where the services of a Government servant are terminated by notice or by payment of pay and allowances in lieu of notice, or otherwise in accordance with the terms and conditions of his appointment, he may be granted, *suo motu*, by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date on which he ceases to be in service subject to a maximum of [300]¹ days.
- (ii) If a Government servant resigns or quits service, he may be granted, *suo motu*, by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of [150]¹ days.
- (iii) A Government servant who is re-employed after retirement may, on termination of his re-employment, be granted, *suo motu*, by the authority competent to grant leave cash equivalent in respect of earned leave at his credit on the date of termination of re-employment subject to a maximum of [300]¹ days, including the period for which encashment was allowed at the time of retirement.

[(b) The cash equivalent under clause (a) shall be calculated in the manner indicated in clause (b) of sub-rule (2) of this Rule. The amounts so calculated shall be paid in one lump sum as one time settlement.]²

1. Enhanced by Office Memorandum No. F.1(1)-FIN(G)/98, dt. 30.01.1999. w.e.f. 01.01.1999.

2. Substituted by the Tripura State Civil Services (Leave) (1st Amendment) Rules, 1989, vide Fin. Dept. notification No. F.1(1)-FIN(G)/87, dt. 29.03.1989 w.e.f. 01.01.1988.

35-A. Cash equivalent of leave salary in case of death in service

²[In case a Government servant dies in service, the cash equivalent of the leave salary in respect of the earned leave at the credit of the deceased Government servant on the date immediately following the date of his death subject to a maximum of [300]¹ days may be paid to his family. The cash equivalent shall be calculated in the manner indicated in clause (b) of sub-rule (2) of Rule 35.

NOTE :—The provisions of Rule-A are also applicable in case of re-employed pensioners who die while in service, provided that in their case the limit prescribed in sub-clause (iii) below clause (b) of sub-rule (6) of these Rules shall be applicable.]

35-B. Cash equivalent of leave salary in case of invalidation from service

A Government servant who is declared by a medical authority to be completely and permanently incapacitated for further service may be granted *suo motu*, by the authority competent to grant leave cash equivalent of leave salary in respect of the earned leave due, subject to a maximum of [300]¹ days, on the date of his invalidation from service. [...] ³. The cash equivalent thus payable shall be equal to the leave salary as calculated under sub-rule (2) of Rule 35.

36. Leave salary

(1) A Government servant who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

NOTE: — In respect of any period spent on foreign service out of India, the pay which the Government servant would have drawn if on duty in India but for foreign service out of India shall be substituted for the pay actually drawn while calculating leave salary.

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1. Enhanced by Office Memorandum No. F.1(1)-FIN(G)/98, dt. 30.01.1999. w.e.f. 01.01.1999.
 2. Substituted by the Tripura State Civil Services (Leave) (1st Amendment) Rules, 1989, vide Fin. Dept. notification No. F.1(1)-FIN(G)/87, dt. 29.03.1989 w.e.f. 01.01.1988.
 3. Omitted *ibid*.

(2) A Government servant on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in sub-rule (1).

(3) A Government servant on commuted leave is entitled to leave salary equal to the amount admissible under sub-rule (1).

(4) A Government servant on extraordinary leave is not entitled to any leave salary.

(5) (a) In the case of a Government servant who is granted leave earned by him during the period of re-employment or is granted cash equivalent under clause (b) of sub-rule (6) or Rule 35, the leave salary shall be based on the pay drawn by him exclusive of the pension and pension equivalent of other retirement benefits.

(b) A Government servant who is permitted under Rule 13 to take up, during leave preparatory to retirement, any other service of employment under an employer other than the State Government shall have his/her leave salary restricted to the amount of leave salary admissible to him while on half pay leave.

(6) (a) If, in the case of a Government servant who retires or resigns from the service, the leave already availed of is more than the credit so due to him necessary adjustment shall be made in respect of leave salary, if any, overdrawn.

(b) Where the quantum of earned leave already availed of by a Government servant who is dismissed or removed from service or who dies while in service is in excess of the leave actually creditable under clause (b) of sub-rule (2) of Rule 26, the over-payment of leave salary shall be recovered in such cases.

37. Drawal of leave salary

The leave salary payable under these rules shall be drawn in rupees in India.

NOTE:— In order to avoid hardship, it has been decided that provisional payment of substantive pay may be allowed to non-Gazetted Government servants pending receipt of their Last Pay Certificate either on reversion from a Gazetted post or on transfer from one non-Gazetted post to another. Cases of the latter kind should, however, be very rare as in the case of non-Gazetted staff there would not normally be any difficulty to get the Last Pay Certificate in time from the Head of the Office (drawing officer) where non-Gazetted Officer was serving prior to such transfer.

The Head of the Office may sanction provisional payment in such cases and suitable indication of the payment should be given in the Establishment bill by the Head of the Office/drawing and disbursing officer for purposes of Audit.

38. Advance of leave salary

A Government servant, including a Government servant on foreign service, proceeding on leave for a period not less than thirty days may be allowed an advance in lieu of leave salary upto a month's pay and allowance admissible on that leave salary subject to deductions on account of Income-tax, Provident Fund, House Rent, Recovery of advance, etc.



CHAPTER--V

Special kinds of leave other than study leave**39. Maternity Leave**

¹[(1) Maternity Leave may be granted by an authority, competent to grant leave, to a female Government servant (including an apprentice) with less than two surviving children for a period of [180]² days from the date of its commencement. During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

³[(a) maternity leave for a period of [180]² days may also extended to a female Government servant (including an apprentice) less than two surviving children on adoption of a child subject to the following conditions:-

(a) If the age of the child is more than 5(five) years, this benefit may not be extended.

(b) The leave shall be admissible only on production of a certificate from the doner person/agency to the effect that the child has been donated for adoption.]

(2) Maternity Leave may also be granted in case of miscarriage, including abortion, subject to the following conditions: —

(a) The leave does not exceed 45 (forty five) days in the entire carrier of a female government servant (including an apprentice);

(b) Abortion will not include “threatened” abortion and Maternity Leave will not be granted in case of “Threatened abortion”:

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1. Substituted by the Tripura State Civil Services (Leave) (4th Amendment) Rules, 1995, vide Fin. Dept. notification No.F.1(1)-FIN(G)/78, dt. 21.03.1995, w.e.f. 01.04.1995.
 2. Substituted by the Tripura State Civil Services (Leave) (8th Amendment) Rules, 1986, vide Fin. Dept. notification No.F.1(1)-FIN(G)/78, dt. 19.11.2011.
 3. Substituted by the Tripura State Civil Services (Leave) (6th Amendment) Rules, 1998, vide Fin. Dept. notification No.F.1(1)-FIN(G)/78, dt. 22.12.1998.

(c) the application for the leave is supported by a Medical Certificate as laid down in Rule—18, or Rule—19, as the case may be ;

(3)(a) Maternity Leave may be combined with leave of any other kind.

(b) Notwithstanding the provisions contained in Sub-Rule (1) of Rule-29, any leave (including commuted leave) for a period not exceeding sixty days, applied for in continuation of maternity leave, may be granted without production of Medical Certificate.

(4) Leave in further continuation of leave granted under Clause (b) of Sub-Rule (3) may be granted on production of a Medical Certificate for the illness of the female Government Servant. Such leave may also be granted in case of illness of a newly born baby subject to production of medical certificate to the effect that the condition of the ailing baby warrants mother's personal attention and that her presence by the baby's side is absolutely necessary.

(5) The maternity leave shall not be debited against the leave account.]

NOTE:—The abortion induced under the Medical Termination of pregnancy Act, 1971, should also be considered as a case of abortion for the purpose of granting maternity leave under this Rule.

¹[39-A.]

²[39-B. Paternity leave

(i) Paternity Leave may be granted by an authority competent to grant leave to a male Government Servant (including an apprentice) with less than two surviving children for a period of 7 (seven) days at the time of delivery of child(s). During the period he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

1. Deleted by the Tripura State Civil Services (Leave) (6th Amendment) Rules, 1998, vide Fin. Dept. notification No.F.1(1)-FIN(G)/78, dt. 22.12.1998.

2. Inserted by the Tripura State Civil Services (Leave) (9th Amendment) Rules, 1986, vide Fin. Dept. notification No.F.1(1)-FIN(G)/78, dt. 26.06.2012 with immediate effect.

39(C): Child Care Leave:

A woman Government servant having minor children below the age of 18 (eighteen) years may be granted Child Care Leave (CCL), by an authority competent to grant leave, for a maximum period of two years (i.e. 730 days) during the entire service for taking care of upto two children whether for rearing or to look after any of their needs like examination, sickness etc., subject to the following conditions:-

- (i) Child Care Leave shall not be admissible, if the child is eighteen years of age or older.
- (ii) During the period of Child Care Leave, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (iii) Child Care Leave may be availed of in more than one spell.
- (iv) Child Care Leave shall not be debited against the leave account.
- (v) Child Care Leave may be combined with leave of any other kind, due and admissible.
- (vi) The nature of Child Care Leave shall be like Earned Leave and therefore, 2nd & 4th Saturday, Sundays, Gazetted Holidays etc. falling during the period of leave would also be counted for Child Care Leave, as in case of Earned Leave.
- (vii) Child Care Leave shall not be demanded as a matter of right and under no circumstances can any employee proceed on Child Care Leave without prior sanction of leave by the competent authority.
- (viii) The period of willful absence or unauthorized absence shall not be converted into Child Care Leave.
- (ix) Child Care Leave shall not ordinarily be granted during the probation period except in case of certain extreme situation where the leave sanctioning authority is fully satisfied about the need of Child Care Leave to the probationer. It may also be ensured that period for which such leave is sanctioned during the probation is minimal.

- (ii) It shall not be debited against the level account and may be combined with any other kind of leave (as in the case of Maternity leave). It shall not be refused under any circumstances. Paternity Leave too, like Maternity Leave can be sanctioned only in a single spell.]

40. Special disability leave for injury intentionally inflicted

(1) The authority competent to grant leave may grant special disability leave to a Government servant (whether permanent or temporary) who is disabled by injury intentionally inflicted or caused in, or in consequence of the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed and the person disabled acted with due promptitude in bringing it to notice ;

Provided that the authority competent to grant leave may, if it is satisfied as to the cause of the disability, permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

(3) The period of leave granted shall be such as is certified by an Authorised Medical Attendant and shall in no case exceed 24 months.

(4) Special disability leave may be combined with leave of any other kind.

(5) Special disability leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.

(6) Special disability leave shall be counted as duty in calculating service for pension and shall not, except the leave granted under the proviso to clause (b) of sub-rule (7) below, be debited against the leave account.

(7) Leave salary during such leave shall,

- (a) for the first 120 days of any period of such leave, including a period of such leave granted under sub-rule (5), be equal to leave salary while on earned leave ; and
- (b) for the remaining period of any such leave, be equal to leave salary during half pay leave ;

Provided that a Government servant may, at his option, be allowed leave salary as in sub-rule (a) for period not exceeding another 120 days, and in that event the period of such leave shall be debited to his half-pay leave account.

NOTE: —Leave salary in respect of special disability leave granted to a Government servant who has rendered service under more than one Government may be apportioned between the Governments in accordance with the normal rules.

41. Special disability leave for accidental injury

(1) The provisions of Rule 40 shall apply also to a Government servant, whether permanent or temporary, who is disabled by injury accidentally incurred in, or in consequence of the due performance of his official duties or in consequence of his official position, or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness of injury beyond the ordinary risk attaching to the evil post which he holds.

(2) The grant of special disability leave in such case shall be subject to the further conditions—

- (i) that the disability, if due to disease, must be certified by an Authorised Medical Attendant to be directly due to the performance of the particular duty ;
- (ii) that, if the Government servant has contracted such disability during service otherwise than with a military force, it must be, in the opinion of the authority competent to sanction leave, exceptional in character ; and

2. The words "permanent or temporary" appearing in second line of sub rule 1 of Rule 41 of the Tripura State Civil Services (Leave) Rules, 1986 shall be substituted by the words "permanent or temporary or re-employment" for the purpose of special disability leave for accidental injury while performing official duty.

Substituted by the Tripura State Civil Services (Leave) Rules (14th Amendment) Rules, 2018, w.e.f. 1st April, 2018.

- (iii) that the period of absence recommended by an Authorised Medical Attendant may be covered in part, by leave under this rule and in part by any other kind of leave, and that the amount of special disability leave granted on leave salary equal to that admissible on earned leave shall not exceed 120 days.

42. Quarantine leave

(1) Where, in consequence of the presence of an infectious disease, referred to in sub-rule (2), in the family or household of a Government servant at his place of duty, residence or sojourn, his attendance at his office is considered hazardous to the health of other Government servants, such Government servants may be granted quarantine leave.

- (2) (a) For the purposes of sub-rule (1), small pox and plague, may be considered as infectious diseases. Chicken-pox shall not, however, be considered as an infectious disease unless the Medical Officer or Public Health Officer considers that because of doubt as to the true nature of the disease (for example, small pox), there is reason for the grant of such leave.
 - (b) In the case of a Government servant stationed in an area under the administration of any other Government, such other diseases as may have been declared by that Government, as infectious for the purpose of quarantine leave rules in force in that State, may also be considered as infectious diseases for the purpose of this rule.
- (3) (a) Quarantine leave may be granted by the Head of the Office on the certificate of a Medical Officer or Public Health Officer for a period not exceeding 21 days or, in exceptional circumstances, 30 days.
- (b) Any leave necessary in excess of this period shall be treated as leave due and admissible and shall be debitable to the leave account of the Government servant.

(4) Quarantine leave, subject to the maximum laid down in sub-rule (3), may also be granted, when necessary, in continuation of other leave.

(5) A Government servant on quarantine leave shall be treated as on duty. No substitute shall be appointed while he is on such leave.

CHAPTER VI
Study Leave

43. Conditions for grant of study leave

(1) Subject to the conditions specified in this Chapter, study leave may be granted to a Government servant with due regard to the exigencies of public service to enable him to undergo, in or out of India, a special course of study consisting to higher studies or specialised training in a professional or a technical subject having a direct and close connection with the sphere of his duty.

(2) Study leave may also be granted —

- (i) for a course of training or study tour in which a Government servant may not attend a regular academic or semi-academic course if the course of training or the study tour is certified to be of definite advantage to Government from the point of view of public interest and is related to sphere of duties of the Government servant; and
- (ii) for the purposes of studies connected with the framework or background of public administration subject to the conditions that —
 - (a) the particular study or study tour should be approved by the authority competent to grant leave ; and
 - (b) the Government servant should be required to submit, on his return, a full report of the work done by him while on study leave.
- (iii) for the studies which may not be closely or directly connected with the work of a Government servant, but which are capable of widening his mind in a manner likely to improve his abilities as a civil servant and to equip him better to collaborate with

those employed in other branches of the public service.

NOTE: —Application for study leave in cases falling under clause (iii) shall be considered on merits of each case in consultation with Finance Department.

(3) Study leave shall not be granted unless --

- (i) it is certified by the authority competent to grant leave that the purposed course of study or training shall be of definite advantage from the point of view of public interest ;
- (ii) it is for prosecution of studies in subjects other than academic or literary subject.

Provided that a Medical Officer may be granted study leave for prosecuting a course of post-graduate study in Medical Sciences if the Director of Health Services certifies to the effect that such study shall be valuable in increasing the efficiency of such medical officer in the performance of his duties ;

Provided also that a specialist or a technical person may be granted study leave, on merits on each case, for prosecuting a post-graduate course of study directly related to the sphere of his duty in case of Head of the Department or the Secretary to the Department concerned certifies that the course of study shall enable the specialist or the technical person, as the case may be, to keep abreast with modern development in the field of his duty, improve his technical standards and competence and thus substantially benefit the Department.

- (iii) the Government of India, Department of Economic Affairs of the Ministry of Finance agrees to the release of foreign exchange involved in the grant of study leave, if such leave is outside India :

(4) Study leave out of India shall not be granted for the prosecution of studies in subjects for which adequate facilities exist in India or under any of the Schemes administered by the Department of Economic Affairs of the Ministry of Finance or by

the Ministry of Education.

(5) Study leave shall not ordinarily be granted to a Government servant –

- (i) who has rendered less than five years service under the Government ; or

[(ii)]¹...*deleted*.

- [(ii)]² who is due to retire, or has the option to retire, for the Government service within three years of the date on which he is expected to return to duty after the expiry of the leave.

³[NOTE:— Grant of study leave to a non-gazetted employee shall also be subject to the condition that the study is in subjects which are the prescribed qualification for the posts which he holds.]

(6) Study leave shall not be granted to a Government servant with such frequency as to remove him from contract with his regular work or to cause cadre difficulties owing to his absence on leave.

44. Maximum amount of study leave

The maximum amount of study leave, which may be granted to a Government servant shall be –

- (a) ordinarily twelve months at any one-time, and
- (b) during his entire service, twenty-four months in all inclusive of similar kind of leave for study or training grant under any other rules.

1. Deleted by the Tripura State Civil Services (Leave) (1st Amendment) Rules, 1999, vide Fin. Dept. notification No.F.1(1)-FIN(G)/87, dt. 29.03.1989, w.e.f. 01.01.1988.

2. Re-numbered *ibid*.

3. Added *ibid*.

45. Applications for study leave

- (1) (a) Every application for study leave shall be submitted through proper channel to the authority competent to grant leave.
- (b) The course or courses of study contemplated by the Government servant and any examination which he proposes to undergo shall be clearly specified in such application.

(2) Where it is not possible for the Government servant to give full details in his application, or if, after leaving India, he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Head of the Mission or the authority competent to grant leave, as the case may be, and shall not, unless prepared to do so at his own risk, commence the course of study or incur any expenses in connection therewith until he receives the approval of the authority competent to grant the study leave for the course.

46. Sanction of study Leave

(1) A report regarding the admissibility of the study leave shall be obtained from the Accounts Officer.

(2) Where a Government servant borne permanently on the cadre of one department or establishment is serving temporarily in another department or establishment, the grant of study leave to him shall be subject to the condition that the concurrence of the department or the establishment to which he is permanently attached is obtained before leave is granted.

(3) Where the study leave is granted for prosecution of studies abroad, the Head of the Mission concerned shall be informed of the fact by the authority, granting the leave through the Ministry concerned.

NOTE:—The Head of the Mission shall be contacted by the Government servant for issue of any letters of introduction or for other similar facilities that may be required.

- (4) (a) Every Government servant in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a bond in Form 6 or Form 7, as the case may be, before the study leave or extension of such study leave granted to him commences.
- (b) Every Government servant not in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a bond in Form 8 or Form 9, as the case may be, before the study leave or extension of such study leave granted to him commences.
- (c) The Authority competent to grant leave shall send to the Accounts Officer a certificate to the effect that the Government servant referred to in clause (a) or clause (b) has executed the requisite bond.
- (5) (a) On completion of the course of study, the Government servant, shall submit to the authority which granted him the study leave the certificates of examinations passed or special courses of study undertaken, indicating the date of commencement and termination of the course with the remarks, if any, of the authority, incharge of the course of study.
- (b) If the study is undertaken in a country outside India where there is an India Mission, the certificates shall be submitted through the Head of the Mission concerned.

47. Accounting of study Leave and Combination with Leave of other kinds.

(1) Study leave shall not be debited against the leave account of the Government servant.

¹[(2) Study Leave may be combined with any other leave due, but maximum period of continuous absence, including vacation, if

1. Substituted by the Tripura State Civil Services (Leave) (5th Amendment) Rules, 1996, vide Fin. Dept. notification No.F.1(1)-FIN(G)/79, dt.05.07.1996. w.e.f. 01.07.1996.

any, but excluding extraordinary leave shall not exceed twenty eight months generally, and thirty six months for course of study leading to Ph. D. Degree and Post Graduate Degree in Medical Science.]

Explanation:—The limit of twenty-eight months/Thirty Six months of absence prescribed in this sub-rule includes the period of vacation.

(3) A Government servant granted study leave in combination with any other kind of leave may, if he so desires undertake or commence a course of study during any other kind of leave and subject to the other conditions laid down in Rule 50 being satisfied, draw study allowance in respect thereof:

Provided that the period of such leave coinciding with the course of study shall not count as study leave.

48. Regulation of study leave extending beyond course of study

When the course of study falls short of study leave granted to a Government servant, he shall resume duty on the conclusion of the course of study, unless the previous sanction of the authority competent to grant leave has been obtained to treat the period of shortfall as ordinary leave.

49. Leave salary during study leave

¹[(1) During study Leave availed outside India a Government servant shall draw leave salary equal to the pay (without any allowance other than dearness allowance) that the Govt. servant drew while on duty with the Government immediately before proceeding on such leave, in addition to the study allowance admissible under Rule 50 to 52 of these rules.

(2) During study leave availed in India a Govt. Servant shall draw leave salary equal to the pay (without any allowance other than dearness allowance) that the Govt. servant drew while on duty with the Govt. immediately before proceeding on such leave.]

1. Substituted by the Tripura State Civil Services (Leave) (1st Amendment) Rules, 1989, vide Fin. Dept. notification No.F.1(1)-FIN(G)/87, dt. 29.03.1989, w.e.f. 01.01.1988.

NOTE:—1. No study allowance shall be paid during study leave for courses of study in India.

NOTE:—2. Payment of house rent allowance during the first 120 days of study leave/other kinds of leave other than Extraordinary leave when combined with study leave and beyond 120 days will be regulated in the manner it is done in case of other leave.

50. Conditions for grant of study allowance

(1) A study allowance shall be granted to a Government servant who has been granted study leave for studies outside India for the period spent in prosecuting a definite course of study at a recognised institution or in any definite tour of inspection of any special class of work, as well as for the period covered by any examination at the end of the course of study.

(2) Where a Government servant has been permitted to receive and retain, in addition to his leave salary, any scholarship or stipend that may be awarded to him from a Government or non-Government sources, or any other remuneration in respect of any part-time employment—

- (a) no study allowance shall be admissible in case the net amount of such scholarship or stipend or remuneration (arrived at by deducting the cost of fees, if any, paid by the Government servant from the value of the scholarship or stipend or remuneration) exceeds the amount of study allowance otherwise admissible.
- (b) in case the net amount of scholarship or stipend or remuneration is less than the study allowance otherwise admissible, the difference between the value of the net scholarship or stipend or any other remuneration in respect of an part-time employment and the study allowance may be granted by the authority competent to grant leave.

(3) Study allowance shall not be granted for any period during which a Government servant interrupts his course of study to suit

his own convenience;

Provided that the authority competent to grant leave or the Head of Mission may authorise the grant of study allowance for a period not exceeding 14 days at a time during such interruption if it was due to sickness.

(4) Study allowance shall also be allowed for the entire period of vacation during the course of study subject to the conditions that—

- (a) the Government servant attends during vacation any special course of study or practical training under the direction of the Government or the authority competent to grant leave, as the case may be; or
- (b) in the absence of any such direction, he produces satisfactory evidence before the Head of the Mission or the authority competent to grant leave, as the case may be, that he has continued his studies during the vacation :

Provided that in respect of vacation falling at the end of the course of study it shall be allowed for a maximum period of 14 days.

(6) The period for which study allowance may be granted shall not exceed 24 months in all.

51. Rates of study Allowance

(1) The rates of study allowance shall be as follows : -

Name of the Country	Study allowance per diem.
Australia ...	L 1.00 (Sterling)
Continent of Europe ...	L 1.65 "
New Zealand ...	L 1.20 "
United Kingdom ...	L 2.00 "
United States of America ...	L 2.75 "

(2) The rates of study allowance prescribed in sub-rule (1) may be revised by the Central Government from time to time. In all cases,

the rates in force at the material time shall be applicable.

(3) The rates of study allowance to be granted to a Government servant who takes study leave in any country other than the one specified in sub-rule (1) shall be such as may be specially determined by the Government with the approval of the Government of India.

52. Procedure for payment of study allowance

(1) Payment of study allowance shall be subject to the furnishing of a certificate by the Government servant to the effect that he is not in receipt of any scholarship, stipend or any other remuneration in respect of any part-time employment.

(2) Study allowance shall be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the Government servant that he would refund to the Government any overpayment consequent on his failure to satisfy the authority competent to grant leave about the proper utilization of the time spent for which study allowance is claimed.

(3) (a) In the case of definite course of study at a recognised institution, the study allowance shall be payable by the authority competent to grant leave, if the study leave availed of is in a country where there is no India Mission, and by the Head of the Mission in other cases, on claims submitted by the Government servant from time to time, supported by proper certificates of attendance.

(b) The certificate of attendance required to be submitted in support of the claims for study allowance shall be forwarded at the end of the term, if the Government servant is undergoing study in an education institution, or at intervals not exceeding three months if he is undergoing study at any other institution.

(4) (a) When the programme of study approved does not include, or does not consist entirely of, such a course of study, the Government servant shall submit to the authority competent to grant leave direct or through the Head of the Mission of diary showing how his time

has been spent and a report indicating fully the nature of the methods and operations which have been studied and including suggestions as to the possibility of adopting such methods or operations to conditions obtaining in India.

- (b) The authority competent to grant leave shall decide whether the diary and report show that the time of the Government servant was properly utilised and shall determine accordingly for what periods study allowance may be granted.

53. Admissibility of allowance in addition to study allowance

No allowance of any kind other than those indicated in Rule 49 of these Rules and study allowance where admissible, shall be admissible to a Government servant in respect of the period of study leave granted to him.

54. Travelling allowance during study leave

A Government servant to whom study leave has been granted shall not ordinarily be paid travelling allowance but the Government may in exceptional circumstances sanction the payment of such allowance.

55. Cost of fees for study

A Government servant to whom study leave has been granted shall ordinarily be required to met the cost of fees paid for the study but in exceptional cases, the Government may sanction the grant of such fees.:

Provided that in no case shall be cost of fees be paid to a Government servant who is in receipt of scholarship or stipend from whatever source or who is permitted to receive or retain, in addition to his leave salary, any remuneration in respect of part-time employment.



56. Resignation of retirement after study leave

(1) If a Government servant resigns or retires from service or otherwise quits service without returning to duty after a period of study leave or within a period of three years after such return to duty, he shall be required to refund

- (i) the actual amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, incurred by the Government; and
- (ii) the actual amount if any, of the cost incurred by other agencies, such as foreign Governments, Foundations and Trusts in connection with the course of study;

together with interest thereon at rates for the time being in force on Government loans from the date of demand before his resignation is accepted or permission to retire is granted or his quitting service otherwise:

Provided that nothing in this rule shall apply

- (a) to a Government servant who, after return to duty from study leave, is permitted to retire from service on medical grounds; or
 - (b) to a Government servant who, after return to duty from study leave, is deputed to serve in any statutory or autonomous body or institution under the control of the Government and is subsequently permitted to resign from service under the Government with a view to his permanent absorption in the said statutory or autonomous body or institution in the public interest.
- (2) (a) The study leave availed of by such Government servant shall be converted into regular leave standing at his credit on the date on which the study leave commenced, any regular leave taken in continuation of study leave being suitable adjusted for the purpose and the balance of the period of study leave, if any, which cannot be so

converted, treated as extraordinary leave.

- (b) In addition the amount to be refunded by the Government servant under sub-rule (1) he shall be required to refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.

(3) Notwithstanding anything contained in this Rule, the Government may if it is necessary or expedient to do so, either in the public interest or, having regard to the peculiar circumstances of the case or class of cases, by order, waive or reduce the amount required to be refunded under sub-rule (1) by the Government servant concerned or class of Government servants.

CHAPTER-VII
Miscellaneous

57. Interpretation

Where any doubt arises as to the interpretation of these Rules, it shall be referred to the Government of Tripura in the Finance Department for decision.

58. Power to relax

Where any Office/Department of this Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, that Office/Department as the case may be, may by order, for reasons to be recorded in writing, dispense with or relax the requirements of that Rules to such extent and subject to such exception and conditions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the concurrence of the Finance Department.

59. Repeal and saving

(1) On the commencement of these Rules, every Rule regulation or order, including Office Memorandum (hereinafter referred to in this Rule as the old Rule) in force immediately before such commencement shall, in so far as it provides for any of the matters contained in these Rules, cease to operate.

(2) Notwithstanding such cesser of operation, anything done or any action taken or any leave earned by, or granted to, or accrued to the credit of, a Government servant, under the old Rule, shall be deemed to have been done, taken, earned, granted raccrued under the corresponding provisions of these Rules.

[THE FIRST SCHEDULE]

(See Rule 3(b))

AUTHORITIES COMPETENT TO GRANT LEAVE

Kind of leave	Status of employees	Authority competent to grant leave.
1	2	3
Earned leave, Half pay Leave, Leave not due, Extraordinary leave, Maternity leave, Study leave, Special Disability leave etc.	<p>(a) Principal Secretary, Commission/Secretaries of the Deptt. Director General of Police/ P.C.C.F.</p> <p>(b) In the Secretariat. (i) Non-Gazetted. (ii) Gazetted.</p> <p>(c) Heads of Deptt. Except Secretary.</p> <p>(d) District Level officers and Head of State Level Institutions except Head of the Deptt.</p> <p>(e) Office of Head of Deptt. i) Non-Gazetted. ii) Gazetted.</p> <p>(f) All Heads of Offices & others Officer Senior to Head of Office at the District.</p> <p>(g) All Gazetted Officer Junior of Head of Office & Non-Gazetted employees.</p>	<p>Chief Secretary with the approval of Chief Ministerial</p> <p>i) Head Office of the concerned Department.</p> <p>ii) Secretary of the Department, Secretary of the Deptt. Head of Deptt.</p> <p>i) Head of Office, ii) Head of Deptt.</p> <p>Head of the District of the concerned Department.</p> <p>Head of Office.</p>

1. Substituted by the Tripura State Civil Services (Leave) (Amendment) Rules, 1999, published in Tripura Gazette, Part-1, dated 13th November, 1999 vide Finance Deptt. Notification No. F.1(1)-FIN(G)/87, dt. 26.10.1999.

NOTE:—1. A copy of the sanction order shall be sent by the sanctioning authority to the authority maintaining the service books for incorporation in the leave account. A duplicate leave account shall be maintained in the office of leave sanctioning authority. All sanctioned leave shall be incorporated in the duplicate leave account and shall be certified by the leave sanctioning authority. The authority maintaining the service book shall prepare a duplicate leave account and send the same to the leave sanctioning authority. Any disputed leave shall be indicated in the leave account. At the end of the calendar year, an extract of the leave account shall be sent by the leave sanctioning authority to the authority maintaining the service book for incorporation and reconciliation. When a Government servant is transferred the duplicate leave account shall be sent by the leave sanctioning authority to the new leave sanctioning authority.

NOTE:—2. If the Government servant is in foreign service

- (i) the authority which sanctioned the transfer to foreign service.
- (ii) Foreign employer power to be exercised only in respect of earned leave not exceeding 120 days and while taking decision to grant or refuse leave preparatory to retirement, prior concurrence of the lending authority under the State Govt. Shall be obtained as provided in sub-rule (2) of Rule 34.

NOTE:—3. If the Govt. servant is serving with any other Govt. the authority as may be specified by that Government:

- (a) While taking decision to grant or refuse leave preparatory to retirement, prior concurrence of the lending authority under the State Govt. shall be obtained;
- (b) In case, the leave is so refused in public interest, it may be availed of by the Govt. servant to the extent admissible under Rule 35 from the date of his quitting service;
- (c) In case the lending authority under the State Govt. is not agreeable to the refusal of leave preparatory retirement it shall be granted to the Govt. servant and if the borrowing Govt. needs the services of the officer during the period, the Govt.

servant may re-employed by that Govt. concurrently with the leave preparatory to retirement and leave salary regulated in accordance with the provisions of Rule 36.

Sd/-
(N. C. SEN)
Joint Secretary to the
Government of Tripura.

THE SECOND SCHEDULE

[See Rule 3(g)]

FORM I

(See Rule 14)

APPLICATION FOR LEAVE OR FOR EXTENSION OF LEAVE.

1. Name of applicant.
2. Post held.
3. Department, Office and Section.
4. Pay.
5. House rent and other compensatory allowances drawn in the present post.
6. Nature and period of leave applied for and date from which required.
7. Sundays, and holidays, if any, proposed to be prefixed/suffixed of leave.
8. Grounds on which leave is applied for.
9. Date of return from last leave, and the nature and period of that leave.
10. I proposed/do not propose to avail Myself of leave travel compensation for the block years.....during the ensuing leave.
11. Address during leave period.

Signature of Applicant.
(with date)

12. Remarks and/or Recommendation of themselves
Controlling Officer.

Signature (with date)
Designation.

CERTIFICATE REGARDING ADMISSIBILITY OF LEAVE

13. Certified that
(nature of leave)

for.....from.....
.....

(period)

to.....is admissible under rule
of the TSCS (Leave) Rules, 1986.

Signature (with date)
Designation.

*14. Orders of the authority competent to
grant leave.

Signature (with date)
Designation.

*If the applicant is drawing any compensatory allowance, it should also be indicated in the orders of the expiry of leave, the Govt. servant is likely to return to the same post or to another post carrying similar allowance.

FORM-2
(See Rule 15)
Form of Leave Account

Name of Government servant.....
 Date of commencement/continuous service.....
 Date of Quasi-permanent/Permanent employment.....
 Resignation.....
 Date of Retirement.....

Particulars of Services in the half-year of a Calendar year		EARNED LEAVE										HALF PAY LEAVE																					
1	From	To	Completed months of service in the half-year of a calendar year	E.L. credited of the beginning of half year	No. of days of E.O.L. (Col.36) Availed of during the previous Calendar half-year.	E.L. to be deducted (1/10 th of The period in Col.5)	Total E.L. at credit in days (Cols. 4+11-6)																										
2								8	From	To	No. of days	11	Balance of E.L. on return from Leave (Cols 7-10)		12	From	To	No. of completed years	15	Leave earned (in days)		16	Leave at credit (Col. 15+35)		17	From	To	No. of days	18	From	To	No. of days	19
									LEAVE TAKEN				Length of Service			Credit of leave			Against the earnings of half pay				LEAVE										

Contd...P/65

(On private Affairs and M.C. including commuted leave and leave not due)—contd.

TAKEN																
Leave Not Due limited to 360 days in entire service—contd.																
Commutated leave on Medical Certificate on full pay		Commutated leave W/C M.C. for studies certified to be in public interest limited to 180 days (H.P.L. converted into 90 days commuted leave in entire service)				Commutated leave converted into half pay leave (Twice of Col. 22 & 25)			On Medical Certificate		Otherwise than On Medical Certificates limited to 180 days		Other kinds of Leave taken			
From	To	No. of Days	From	To	No. of Days	From	To	No. of days	From	To	No. of days					
20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
Total of Leave Not Due (Col. 29+32)												33				
Total of Half Pay Leave taken (Col. 19+26+33)												34				
Balance of Half Pay Leave On return from leave (Col. 16—34)												35				

Note 1—The Earned leave due should be expressed in days.
 Note 2—When Government servant is appointed during the course of a half year of a particular calendar year earned leave should be credited at the rate of 2 1/2 days for each completed calendar month and the fraction of a day will be rounded to the nearest day.
 Note 3—The entries in column 6 should be in complete days. Fraction of day will be rounded to the nearest day.
 Note 4—Period of extraordinary leave should be noted in red ink.
 Note 5—The entries in columns 12 and 13 should indicate only the beginning and end of completed years of services at the time the half pay leave commences. Where a Government servant completes another year of service while on half pay leave, the extra credit should be shown in columns 12 to 16 by making suitable additional entries and this should be taken into account while completing column 25.

FORM—3
(See Rule 18)

**MEDICAL CERTIFICATE FOR LEAVE OR
EXTENSION OF LEAVE OR COMMUTATION OF LEAVE.**

Signature of the Government servant
I,after careful personal examination of the
case hereby certify that Shri/Shrimati/Kumari.....whose
signature is given above, is suffering from.....and I consider
that a period of absence from duty ofwith effect
fromis absolutely necessary for the restoration of his/her
health.

In my opinion, it is/it is not necessary for the Government servant
to appear before a Medical Board.

Dated.....

Authorised Medical Attendant
.....

FORM—4
[See Rule 23(3)]

MEDICAL CERTIFICATE OF FITNESS TO RETURN TO DUTY

Signature of Government servant

We, the members of Medical Board.

I, Authorised Medical Attendant, of do hereby certify that we/I have carefully examined Shri/Shrimati/Kumari.....whose signature is given above, and find that he/she has recovered from his/her illness and is now fit to resume duties in Government service, We/I also certify that before arriving at the decision, We/I have examined the original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which leave was granted or extended and have taken these into consideration in arriving at our/my decision.

Members of the Medical Board.

- 1)
- 2).....
- 3).....

Authorised Medical Attendant.

Dated.....

NOTE:—The original medical certificate(s) and statement(s) of the case on which the leave was originally granted or extended shall be produced before the authority required to issue the above certificate. For this purpose, the original certificate(s) and Statement(s) of the case should be prepared in duplicate, one copy being retained by the Government servant concerned.

FORM—5
 [See Rule 31(3)]
**BOND FOR TEMPORARY GOVERNMENT SERVANTS
 GRANTED EXTRAORDINARY LEAVE IN RELAXATION OF
 RULE 31 (2)(d)
 FOR STUDY**

KNOWN ALL MEN BY THESE PRESENTS THAT WE.....resident of.....in the District ofat present employed as.....in the Ministry/Office of.....(hereinafter called "the Obligor") and Shri/Shrimati/Kumari.....son/daughter.....of and Shri/Shrimati/Kumari.....son/daughter of.....of.....(hereinafter called 'the sureties'), do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators, to pay to the Governor of Tripura, his successors and assigns (hereinafter called the "Government") on demand the sum of Rs.....(Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if the payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between, that country and India AND TOGETHER with all costs between the attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS the Government has, at the request of the above bounden Shri/Shrimati/Kumari.....employed as a....., granted him/her regular leave, followed by extraordinary leave without pay and allowances, for a period ofmonths.....days with effect from.....in order to enable him/her to study at

AND WHEREAS the Government has appointed/will have to appoint a substitute to perform the duties ofduring the period of absence of Shri/Shrimati/Kumari.....on extraordinary leave:

AND WHEREAS for the better protection of the Government, the obligor has agreed to execute this bond with two sureties with such condition as hereunder written:

AND WHEREAS the said sureties have agreed to execute this bond as sureties on behalf of the bounden

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of the above bounden, Shri/Shrimati/Kumari.....failing to rejoin on the expiry of the period of extraordinary leave, the post originally held by him/her and serve the Government after rejoining for such period not exceeding a period ofyears as the Government may require or refusing to serve the Government in any other capacity as may be required by the Government on a salary to which he/she would be entitled under the rules, the said Shri/Shrimati/Kumari.....or his/her heirs, executor and administrators shall forthwith pay to the Government on demand the said sum of Rs.....together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

AND upon the obligor Shri/Shrimati/Kumari.....and, or Shri/Shrimati/Kumari.....and, or Shri/Shrimati/Kumari.....the sureties aforesaid making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in force and virtue.

PROVIDED always that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance, act or omission of the Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the obligor before suing the sureties Shri/Shrimati/Kumari.....and Shri/Shrimati/Kumari.....or any of them for amounts due hereunder.

The bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

The Government have agreed to bear the stamp duty payable on this bond.

Signed and datedday of one thousand nine hundred and

Signed and delivered by the obligor
above-named Shri/Shrimati/Kumari.....
.....in the presence of

Witnesses : 1)
2)

Signed and delivered by the surety
above-named Shri/Shrimati/Kumari.....
.....in the presence of

Witnesses : 1)
2)

Signed and delivered by the surety
above-named Shri/Shrimati/Kumari.....
.....in the presence of

Witnesses : 1)
2)

ACCEPTED
*for and on behalf of the
Governor of Tripura.*

FORM—6

[See Rule 46(4)]

**BOND TO BE EXECUTED BY A GOVERNMENT SERVANT
IN PERMANENT EMPLOY, WHEN PROCEEDING ON STUDY
LEAVE**

KNOWN ALL MEN BY THESE PRESENTS THAT I.....
resident of.....in the District ofat present
employed asin the Ministry/Office ofdo
hereby bind myself and my heirs executor and administrators to pay to
the Governor of Tripura (hereinafter called 'Government') on demand
the sum of Rs.....(Rupees only) together with
interest thereon from the date of demand at Government rates for the
time being in force on Government loans or, if payment is made in a
country other than India the equivalent of the said amount in the
currency of that country converted at the official rate of exchange
between that country and India AND TOGETHER with all costs
between attorney and client and all charges and expenses that shall or
may have been incurred by the Government.

WHEREAS Iam granted study leave by
Government.

AND WHEREAS for the better protection of the Government I
have agreed to execute this bond with such condition as hereunder is
written.

NOW THE CONDITION OF THE ABOVE WRITTEN
OBLIGATION IS THAT (in the event of my failing to resume duty or
resigning or retiring from service or otherwise quitting service) without
returning to duty after the expiry or termination of the period of study
leave or at any time within a period of three years after my return to duty,
I shall forthwith pay to the Government or as may be directed by the
Government, on demand the said sum of
Rs.(Rupees.....only) together with interest thereon from
the date of demand at Government rates for the time being in force on
Government loans.

AND upon my making such payment the above written obligations
shall be void and of no effect, otherwise it shall be and remain in full
force and virtue.

The Bond shall in all respect be governed by the law of India for the time being in force and the rights and liabilities hereunder shall, where necessary, be accordingly determined by the appropriate Courts in India.

The Government have agreed to bear the stamp duty payable on this bond.

Signed and dated thisday ofone thousand nine hundred and

Signed and delivered byin the presence of

- Witnesses : (1)
(2)

ACCEPTED
*for and on behalf of the
Governor of Tripura.*

FORM—7
 [See Rule 46(4)]
**BOND TO BE EXECUTED BY A GOVERNMENT SERVANT IN
 PERMANENT EMPLOY WHEN GRANTED EXTENSION OF
 STUDY LEAVE**

KNOWN ALL MEN BY THESE PRESENTS THAT I resident ofin the District of.....at present employed asin the Office ofdo hereby bind myself and my heirs, executors, and administrators, to the Governor of Tripura (hereinafter called "the Government") on demand the sum of Rs.(Rupeesonly) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans, or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS I,was granted study leave by Government for the period fromtoin consideration of which I executed a bond dated.....for Rs.(Rsonly) in favour of the Governor of Tripura.

AND WHEREAS the extension of study leave has been granted to me at my request until

AND WHEREAS for the better protection of the Government I have agreed to execute this bond with such conditions as hereunder is written.

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of my failing to resume duty, or resigning or retiring from service or otherwise quitting service without returning to duty after the expiry of termination of the period of study leave so extended or any time within a period of three years after my return to duty, I shall forth with pay to the Government or as may be directed by the Government on demand the said sum of Rs.....(Rupees.....only) together with interest thereon from the date of demand at Government rates for the time being

in force on Government loans.

AND upon my making such payment the aboe written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

The Bond shall in all respect be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall, where necessary, be accordingly determined by the appropriate Courts in India.

The Government have agreed to bear the stamp duty payable on this bond.

Signed and dated this.....day of.....one thousand nine hundred and

Signed and delivered byin the presence of

- Witnesses: 1)
- 2)

ACCEPTED
*for and on behalf of the
Governor of Tripura.*

FORM—8
 [See Rule 46(4)]
**BOND TO BE EXECUTED BY A GOVERNMENT SERVANT
 NOT IN PERMANENT EMPLOY WHEN PROCEEDING ON
 STUDY LEAVE**

KNOWN ALL MEN BY THESE PRESENTS THAT WE
resient of.....
 in the district ofat present
 employed asin the Office of
(hereinafter called "the
 obligor") and Shri/Shrimati/Kumari.....son/
 daughter of.....and Shri/
 Shrimati/Kumari.....
 son/daughter of.....of.....and
 Shri/Shrimati/Kumari.....son/daughter of
 (hereinafter called "the sureties") do hereby jointly and severally bind
 ourselves and our respective heirs, executors and administrators to pay
 to the Governor of Tripura (hereinafter called "the Government") on
 demand the sum of Rs(Rupeesonly)
 together with interest thereon from the date to demand at Government
 rates for the time being in force on Government loans or, if payment is
 made in a country other than India, the equivalent of the said amount in
 the currency of that country converted at the official rates of exchange
 between that country and India AND TOGETHER with all costs
 between attorney and client and all charges and expenses that shall or
 may have been incurred by the Government.

WHEREAS the obligor is granted study leave by the Government;

AND WHEREAS for the better protection of the Government, the
 obligor has agreed to execute this bond with such condition as hereunder
 is written;

AND WHEREAS the said sureties have agreed to execute this
 bond as sureties on behalf of the above bonden.....

NOW THE CONDITION OF THE ABOVE WRITTEN
 OBLIGATIONS IS THAT in the event of the obligor
 Shri/Shrimati/Kumari.....(failing to resume duty, or
 resigning from service or otherwise quitting service) without returning to
 duty after the expiry or termination of the period of study leave or at any

time within a period of three years after his return to duty, the obligor and the sureties shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs..... (Rupees.....only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

And upon the obligor Shri/Shrimati/Kumari..... or Shri/Shrimati/Kumari.....and, or Shri/Shrimati/Kumari.....the sureties aforesaid making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

PROVIDED ALWAYS that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any for bearance, act or omission of the Govt. or any person authorised by them (whether with or without the consent or knowledge of the sureties, nor shall it be necessary, for the Government to sue the obligor before suing the sureties Shri/Shrimati/Kumari.....and Sri/Srimati/Kumari.....or any of them for amounts due hereunder.

The bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

The Government have agreed to bear the stamp duty payable on this bond.

Signed and dated thisday ofone thousand nine hundred and

Signed and delivered by the obligor above named Shri/Shrimati/Kumari..... in the presence of

Witnesses : 1)..... 2).....

Signed and delivered by the surety above-named Shri/Shrimati/Kumari..... in the presence of

Witnesses : 1).....

2)

Signed and delivered by the surety above-named
Shri/Shrimati/Kumari.....
in the presence of

Witnesses : 1)
2)

ACCEPTED
for and on behalf of the
Governor of Tripura.

FORM—9
 [See Rule 46(4)]
**BOND TO BE EXECUTED BY A GOVERNMENT SERVANT
 NOT
 IN PERMANENT EMPLOY, WHEN GRANTED EXTENSION
 OF STUDY LEAVE**

KNOWN ALL MEN BY THESE PRESENTS THAT WE
 resident ofin the district of
at present employed asin the Office
 as(hereinafter called "the obligor") and
 Shri/Shrimati/Kumari.....son/daughter of
 of..... and Shri/Shrimati/Kumari.....
 son/daughter of
 of(hereinafter called "the sureties") do hereby
 jointly and severally bind ourselves and our respective heirs, executors
 and administrators to pay to the Governor of Tripura (hereinafter called
 "the Government") on demand the sum of
 Rs(Rupeesonly) together with
 interest thereon from the date of demand a Government rates for the
 time being in force on Government loans or, if payment is made in a
 country other than India, the equivalent of the said amount in the
 currency of that country, converted at the official rate of exchange
 between that country and India AND TOGETHER with all costs
 between attorney and client and all charges and expenses that shall or
 may have been incurred by the Government.

WHEREAS THE OBLIGOR was granted study leave by the
 Government for the period from toin
 consideration of which he executed a bond datedfor
 Rs(Rupeesonly) in favour of Governor of
 Tripura.

AND WHEREAS the extension of study leave has been granted to
 the obligor at his request until

AND WHEREAS for the better protection of the Government the
 obligor has agreed to execute this bond with such condition as hereunder
 is written.

AND WHEREAS the said sureties have agreed to execute this
 bond as sureties on behalf of the above boundary

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of the obligor Shri/Shrimati/Kumari.....(failing to resume duty, or resigning from service or otherwise quitting service) without returning to duty after the expiry of termination of the period of study leave so extended or at any time within a period of three years after his return to duty, the obligor and the sureties shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs.....(Rupees.....only) together with interest thereon from the date of demand at Government rates for the time being force on Government loans.)

AND upon the obliger Shri/Shrimati/Kumariand, or Shri/Shrimati/Kumari.....and, or Shri/Shrimati/Kumari.....the sureties aforesaid making such payment the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue.

PROVIDED ALWAYS that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance, act or omission of the Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the obligor before suing the sureties Shri/Shrimati/Kumari.....and Shri/Shrimati/Kumari.....of any of them for amounts due hereunder.

The bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

The Government have agreed to bear the stamp duty payable to this bond.

Signed and dated thisday ofone thousand nine hundred and

Signed and delivered by the obligor above named Shri/Shrimati/Kumariin the presence of

Witnesses : (1)
(2)

Signed and delivered by the surety above named
Shri/Shrimati/Kumari.....in the presence of

Witnesses : (1)
(2)

Sighed and delivered by the surety above named
Shri/Shrimati/Kumariin the presence of

Witnesses : (1)
(2)

ACCEPTED
*for and on behalf of the
Governor of Tripura.*

ANNEXURE-I

**Government of Tripura
Department of Finance
(General Branch)**

No. F.10(5)-FIN(G)/97

Dated, Agartala, the 29th March, 1997.

MEMORANDUM

Earlier every gazetted officer while proceeding on leave and at the time of joining duties after the expiry of the leave used to submit a charge report in GFR-33 signed by both the Relieved and Relieving Officers. Under Rule 78 of General Financial Rules as applicable in Tripura, such reports is required to be sent on the same date of the Audit Officer and/or the Accounts Officer as the case may be and a copy of the report of transfer of chager is to be sent simultaneously to the Treasury Officer and the Head of Department or other controlling officer concerned.

2. It has been brought to the notice of the Finance Department that for sometime past some of the officers are not submitting such report of handing over/taking over of charges. As a result, difficulties are being experienced to make sure the date on which the officer proceeds on leave and the date on which he resumes his duties after the expiry of the leave. This, inter-alia, has been creating difficulties in updating of leave accounts.

3. It is hereby direct that henceforth reports in the proforma given in the Annexure shall invariably be submitted on the date of proceeding on leave and on the date of joining after the expiry of the leave by all Gazetted Officers, a copy of which shall be forwarded to the Controlling Office The Controlling Officer shall countersign the report and send it to the DDO for regulating the officer's salary bill. DDOs will not draw and disburse the salary without receipt of this joining report indicating that leave has been sanctioned for the whole period by the competent authority.

4. In case the transfer of charge involves assumption of responsibility for cash, valuables, stores, secret documents etc. a statement regarding items of charge shall be prepared and submitted to the Controlling Officer duly signed by both the Relieving and Relieved Officers.

5. In order to ensure that the leave account has been properly maintained after the transfer of the service records from the A. G. From 1.11.1987, all officers maintaining leave accounts are hereby requested to reconcile the records with leave actually availed by each officer. They shall have to satisfy themselves that all leave taken with effect from 1.11.87 have been duly reflected in the leave account. The Service Book shall not be considered to be completed unless there is a certificate by the Controlling Officer to the effect that "That Leave Account has been verified and it duly reflects the period of absence from duty of the officer". The A. G. is being advised accordingly.

B.K. Bal

29-3-97

Commissioner-cum-Secretary.

To

- 1. All Secretaries.
- 2. All Heads of Departments.
- 3. All Heads of Officers

Copy to: -

The Accountant General, Tripura. He may kindly not accept the service book as complete unless the above certificate has been recorded in the leave account.

ANNEXURE

Leave Report

A. I hereby proceed on leave this day, the forenoon/afternoon to avail myself of leave for..... days from to..... as sanctioned vide the.....Department Memorandum No..... dated,

B. I hereby report myself for duty this day, the forenoon/afternoon after availing myself of the leave for..... days from..... to....., sanctioned vide theDepartment Memorandum No. dated,

Countersigned

Signature

(Name in Block Letters)

Controlling Officer.

Designation.....

ANNEXURE-II

**Government of Tripura
Department of Finance**

No. F.1(1)-FIN(G)/78

Dated, Agartala, the 20th March, 1997.

MEMORANDUM

It has come to the notice of the Government that salaries of officers who have been absent without the sanction of leave by the competent authority are being drawn and disbursed by the concerned D.D.O.s in utter violation of existing instructions of the State Government. Vide Finance Department's Memorandum of even number date 4.9.93 it has been ordered as follows: —

“It has come to the notice of the Government that some employees remain absent from duties for long period unauthorisedly and subsequently they are allowed to join in their respective posts by the Heads of Offices. Government have taken a serious view of regularisation of such unauthorised absence and have therefore, decided that the joining reports of Government employees who are unauthorisedly absent for long periods (more than one week) should not be accepted by the Heads of offices themselves but should be sent with complete details of the case to the concerned Heads of Departments for appropriate decision.

This will take immediate effect.”

1. Vide Finance Department's Memo of even number date 4.1.96, it was ordered as follows :-

“It has come to the notice of the Government that some employees under various Departments/Offices remain absent from duties for a long period unauthorisedly without sanction of leave. Subsequently the Departments/Offices approach Finance Department for regularisation of such unauthorised absence from duties in relaxation of Rules.

2. Government have taken a serious view in the matter. It has been decided that all Departments/Offices should take stern disciplinary action in such cases of unauthorised absence from duties. Officers found negligent in initiating departmental action against such delinquent

employees shall also be proceeded against.”

3. Subsequently vide Finance Department's Memo of even number dated 3.2.96, it has been ordered as follows:—

“It is observed in many cases, officers proceed on leave without sanction by the competent authority. It is also seen that salary for the leave period is disbursed even though leave has not been sanctioned. All Departments, Heads of Departments and heads of Offices are, therefore, requested to ensure that leave applications are processed expeditiously for sanction and no employee is allowed to proceed on leave before it is sanctioned and intimated to him. It is also directed that salary for the leave period shall not be drawn and paid to the concerned employee until the leave is sanctioned.

2. All Departments, Heads of Department and Heads of Offices are requested to follow the above instructions rigidly. Attention is also drawn to Finance Department's Memo No. F.1(1)-Fin(G)/78 dated 4.9.93 and No.F.1(1)-FIN(G)/78 dated 4.1.96.”

4. It is therefore, evident that there is dereliction of duty on the part of the DDO if he draws pay of an officer for the period of his unauthorised absence until the period is duly regularised by way of sanction of admissible leave by the competent authority. Similarly acceptance of joining reports of Govt. employees who have been unauthorisedly absent for a long period (more than one week) is in violation of the existing orders.

5. It is, therefore, directed that all such cases where salary have been disbursed for the period of unauthorised absence before the sanction of leave or where joining report has been accepted in violation of F.D.'s orders should be brought to the notice of the Departmental Secretary for appropriate orders and as well as action against such delinquent D.D.Os.

B.K. Bal

29-3-97

Commissioner, Finance.

To:

All Secretaries/All Heads of Departments/
All Heads of Offices.

ANNEXURE-III

**Government of Tripura
Department of Finance**

No. F.1(1)-FIN(G)/78

Dated, Agartala, the 4th January, 1996.

MEMORANDUM

Subject:—Regularisation of unauthorised absence from duties for long period.

It has come to the notice of the Government that some employees under various Departments/Offices remain absent from duties for a long period unauthorisedly without sanction of leave. Subsequently the Departments/Office approach Finance Department for regularisation of such unauthorised absence from duties in relaxation of Rules.

2. Government have taken a serious view in the matter. It has been decided that all Department/Offices should take stern disciplinary action in such cases of unauthorised absence from duties. Officers found negligent in initiating departmental action against such delinquent employees shall also be proceeded against.
3. In this connection Note below sub-rule (2) of Rule-24 of the "Tripura State Civil Services (Leave) Rules, 1986" may also kindly be referred to.
4. All Departments/Heads of Departments/Heads of Offices are, therefore, requested to follow the above instructions rigidly hence forth.

V. THULASIDAS
Chief Secretary
Government of Tripura.

To:
All Departments/Heads of Departments/Offices.

ANNEXURE-IV

**Government of Tripura
Department of Finance**

No. F.1(1)-FIN(G)/78

Dated, Agartala, the 4th September, 1993.

MEMORANDUM

Subject:—Acceptance of joining report of Government employees after long unauthorised absence.

It has come to the notice of the Government that some employees remain absent from duties for long period unauthorisedly and subsequently they are allowed to join in their respective posts by the Heads of Offices. Government have taken a serious view of regulations of such unauthorised absence and have, therefore decided that the joining reports of Government employees who are unauthorisedly absent for long periods (more than one week) should not be accepted by the Heads of Offices themselves but should be sent with complete details of the case to the concerned Heads of Departments for appropriate decision.

This will take immediate effect.

K.P. Goswami
4-9-93
Joint Secretary to the
Government of Tripura.

To:
All Departments/Heads of Departments/Offices.

ANNEXURE-V

**Government of Tripura
Department of Finance**

No. F.1(1)-FIN(G)/78

Dated, Agartala, the 22nd June, 1992.

NOTIFICATION

In supersession of all previous orders/notifications issued in respect of grant of leave to the teaching and non-teaching staff of Govt. aided private schools in Tripura. The Governor of Tripura has been pleased to order that:

The provisions of Tripura State Civil Services (Leave) Rules, 1986 as amended from time to time shall mutatis mutandis apply to the teaching and non-teaching staff of Govt. aided private schools.

Provided that such employees who may hold full time elective posts will be entitled to avail leave admissible to them as per provision of Rule 28 of Grant-in-aid Rules (recurring) privately managed Junior High/Senior Basic/High and Class-XII Schools in Tripura Rules, 1978 and Rule 29 of Grant-in-aid Rules (recurring) to privately managed Primary/Junior Basic Schools in Tripura, Rules, 1978.

2. They shall be deemed to have come into force on and from the 1st day of January, 1992.

K. P. Goswami

22-6-92

Joint Secretary to the
Government of Tripura.

To:

All Departments/Heads of Departments/Heads of Offices.
All Secretary/Administrator all Govt. aided Private Schools.

ANNEXURE-VI

**Government of Tripura
Department of Finance**

No. F.1(1)-FIN(G)/98

Dated, Agartala, the 30th January, 1999.

OFFICE MEMORANDUM

Subject:—Recommendation of the 4th Tripura Pay Commission regarding Earned Leave – Government decision.

In pursuance of the Government decision of the recommendation of the Fourth Tripura Pay Commission regarding enhancement of the ceiling of Earned Leave from 240 days to 300 days, the Governor, Tripura is pleased to order that the existing provision of Tripura State Civil Services (Leave) Rules, 1986 may be modified as follows: —

- (a) The existing maximum limit of 240 days on accumulation of earned leave provided in Rule 25(b) *ibid* shall be enhanced to 300 days;
- (b) The existing ceiling of 240 days for availing the benefit of encashment of unutilized earned leave shall be increased to 300 days in respect of the following cases: —
 - (i) Retirement on attaining the age of superannuation [Rule 35(2)];
 - (ii) Cases where the service of the Govt. servant has been extended in the interest of public service beyond the date of retirement on superannuation [Rule-35(4)(ii) & b];
 - (iii) Voluntary/pre-mature retirement [Rule-35(5)];
 - (iv) Where the services of a Govt. servant are terminated by notice or by payment of pay and allowance in lieu of notice, or otherwise in accordance with the terms and conditions of his appointment [Rule 35(6)(a)(i)];
 - (v) In the cases of termination of re-employment after retirement [Rule 35(6)(a)(iii)];

- (vi) In the case of death of a Govt. servant while in service, to the family of the deceased [Rule-35-A];
 - (vii) In the case of leave preparatory to retirement [sub-Rule (1) of Rule-34];
 - (viii) In case of a Govt. servant who is declared completely and permanently incapacitated for further service (Rule-35-B);
 - (ix) During the period of extension, any Earned Leave due in respect of the period of such extension plus Earned Leave which was at his credit on the date of his retirement subject to a maximum of 150 (one hundred fifty) days as prescribed the Rule 35 (Sub-Rule-1 (a)(i) of Rule-35).
- (c) A government servant who resigns or quits service shall be entitled to cash equivalent in respect of Earned Leave at credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of 150 days (Rule-35(6)(a)(ii));
- (d) The provisions as contained in (c) (d) of Rule-25 at page-15 & 16 of the above mentioned Leave Rules, shall be deleted.
- (e) Same as except the Rules mentioned above, all the entries of 240 days shall be read as 300 days.

These orders shall effect from the 1st January, 1999.

(P. R. KAR)
Joint Secretary to the
Government of Tripura.

ANNEXURE-VII

Government of Tripura
Department of Finance

No. F.10(16)-FIN(G)/99

Dated, Agartala, the 4th July, 2000.

NOTIFICATION

Subject:—Introduction of Special Scheme for Monthly Rated Workers/
Daily Rated Workers / Muster Roll Workers / Casual
Workers etc.

At present there are good numbers of monthly rated contingent workers / daily rated contingent workers etc. engaged by the Government. On account of financial constraints, the State Government has not been in a position to provide them with regular services. It is observed that such categories of workers on attainment of normal superannuation age, are not eligible for any post-superannuation benefits. With a view of mitigate their post-retirement hardship the Government has decided to provide some financial benefits to them in the form of Pension as per this scheme. It is also observed that this category of workers have very limited leave facilities. The Government feels that the existing leave admissible to such categories of workers, is not only inadequate but occasionally creates difficulties in the event they need leave of absence for genuine reasons. Therefore, taking a compassionate view of the problem faced by these workers, Government has decided to provide certain additional leave benefits to them as listed out in this scheme.

2. These benefits shall come into force from the 1st April, 2000.
3. The benefit shall be available for the following categories of workers engaged on or before 1st January 1996 against posts created and having upto date continuation with the concurred of Finance Department: —
 - 1) Monthly rated Contingent Worker.
 - 2) Daily Rated Continent Worker.
 - 3) Casual Worker/Labourer (whole time).
 - 4) Muster Roll Worker.

- 5) Cadet Nurse of Health & F. W. Deptt.
- 6) GDA/ Sweeper.
- 7) Village Chowkidar.
- 8) Contract Group D employees.
- 9) Folk Artist (ICAT Department).

4. The benefits admissible from 1st April, 2000 shall as for.

A. Paid Holidays:—

- i) One paid holiday (Sunday) in each week.
- ii) Four National Holidays on 26th January, 15th August, 1st May and 2nd October in each calendar year.
- iii) Any other holiday that may be specified as applicable to them by the State Government from time to time.
- iv) Eight days' Casual Leave in a calendar year.
- v) Twenty days' Extra-ordinary leave in a calendar year on medical ground.
- vi) 120 days' Maternity Leave for female workers.

During such period she shall be paid wages at half the rate drawn immediately before her proceeding on leave provided that such leave shall not be admissible for more that 2(two) occasions during the entire service. Head of Office may sanction the leave on the basis of Medical Certificate Issued by the Concerned Hospital / P.H. Centre.

B. Age of superannuation and pension :

- i) A worker shall retire from service at the age of 58 (fifty-eight) years.
- ii) He/she shall be eligible for pension on completion of ten years qualifying service.
- iii) Minimum pension shall be Rs.100/- per month and Maximum pension shall be Rs. 400/- per month.
- iv) The amount of retiring pension per month shall be calculated at the rate of 25% of the average wages. The amount of pension shall be such proportion of retiring pension as his total qualifying service corresponds to 33 (thirty-three) years subject to a minimum of Rs.100/- per month.

5. Posts vacated by persons of these categories recruited to regular

government posts, shall stand abolished.

The benefits, as contemplated above shall be personal to the existing workers and after the retirement / Death / termination / retrenchment / leaving of service of such workers, no person shall be engaged against their vacancies / place.

Sd/-
(S. N. SAHA)
JOINT SECRETARY
GOVERNMENT OF TRIPURA.

To:
All Departments/Heads of Departments/Offices.

Copy to: —

1. The Principal Secretary to Government, Tripura, Agartala.
2. The Secretary to the Chief Minister, Tripura.
3. The PPS/PS/PA to all Minister, Tripura.
4. The Principal Secretaries/Commissioners/Secretaries.
5. The Secretary, Tripura Legislative Assembly Sectt.
6. The Registrar, Gauhati High Court, Agartala Bench.
7. The Secretary, Tripura Public Service Commission.
8. The A.G.(Audit), Tripura, Agartala.
9. The Sr. Deputy A.G.(A & E), Tripura, Agartala.
10. All Treasury Officers/Sub-Treasury Officers, Tripura.

Sd/-
(S. N. SAHA)
JOINT SECRETARY
GOVERNMENT OF TRIPURA.

ANNEXURE-VIII

GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT

* * * *

No. F.1(1)-FIN(G)/86

Dated, Agartala, the 26th March 2013.MEMORANDUM

Subject:— Admissibility of Earned Leave in respect of person / incumbent given re-employment on contract basis after retirement —instructions thereof.

The undersigned to say that on its casual requirement State Government is giving re-employment in respect of some retired persons/ employees on contract basis after their retirement in different Departments / Offices under the State Government.

2. Query has been receiving in the Finance Department from various quarters as to admissibility of Earned Leave in respect of the above said re-employed persons / employees during such contractual period(s). The matter was under active examination for sometime past by the Government in Finance Department.

3. Now, after careful examination of all aspects into account, the Governor of Tripura is pleased to order that Earned Leave at the rate of 2½ days per month shall be credited in the leave account of the respective concerned re-employed person / employee who was, after retirement, re-employed on contract basis on the condition that -

- (i) after completion of the re-employment period, no benefit can be given in terms of leave salary as it is expected that the person on re-employment will enjoy leave for the entire period to be credited in his / her leave account.
- (ii) Provided further that in case of pre-mature ending of the re-employment on contract, the person concerned cannot be given any benefit, even if he/she has not enjoyed the leave as credited in his / her leave account.

By order of the Governor,
Sd/-
(R. Deb Barma)
Deputy Secretary to the
Government of Tripura.

AMENDMENT - 1

**No.F.1(1)-FIN(G)/87
Government of Tripura
Finance Department**

Dated, Agartala, the 29th March, 1989.

NOTIFICATION

Subject:— Amendments to the Tripura State Civil Services (Leave) Rules, 1986.

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in that behalf, the Governor of Tripura is pleased to make amendments to Tripura State Civil Services (Leave) Rules, 1986 to the extent indicated in paragraph - 3 below.

2. (i) These Rules may be called the "Tripura State Civil Services (Leave) (First Amendment) Rules, 1989.
- (ii) They shall be deemed to have come into force from the 1st day of January, 1988.

3. (1) Sub-Rule (5) of the Rule 35 :-

- (i) The part of the first sentence "Provided this period does not exceed the period between the date on which he so retired or is retired from service and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service." shall be omitted.
- (ii) The expression "Calculated under Sub-Rule (2) of Rule 35" appearing in the last sentence shall be substituted by "calculated in the manner indicated in clause (b) of sub-rule (2) of Rule 35."

(2) Sub-Rule (6) of Rule (35) :-

Clause (b) of this sub-rule shall be substituted by the following: —

“The cash equivalent under clause (a) shall be calculated in the manner indicated in clause (b) of sub-rule (2) of this Rule. The amounts so calculated shall be paid in one lump sum as one time settlement.”

(3) Rule 35-A.

This Rule shall be substituted by the following: —

“In case a Government servant dies in service, the cash equivalent of the leave salary in respect of the earned leave at the credit of the deceased Government servant on the date immediately following the date of his death subject to a maximum of 240 days may be paid to his family. The cash equivalent shall be calculated in the manner indicated in clause (b) of sub-rule (2) of Rule 35.

NOTE:—The provisions of Rule-A are also applicable in case of re-employed pensioners who die while in service, provided that in their case the limit prescribed in sub-clause(iii) below clause (b) of sub-rule(6) of those Rules shall be applicable.”

(4) Rule 35-B.

The part of the first sentence “provided that the period of leave for which he is granted ash equivalent does not extend beyond the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service” shall be omitted.

(5) Rule 43 (5)

- (i) Clause (ii) shall be deleted. Clause (iii) may be renumbered as Clause (ii).
- (ii) The following note may be added below this sub-rule after clause (ii) (As modified).

NOTE: —Grant of study leave to non-gazetted employee shall also be subject to the condition that the study is in subjects which are prescribed qualification for the posts which he holds.”

(6) Rule-49.

The existing provision of this Rule as incorporated under Notification of even number dated 23-7-87 shall be substituted by the following :-

“(1) During Study Leave availed outside India a Government servant shall draw leave salary equal to the pay (without any allowance other than dearness allowance) that the Govt. servant drew while on duty with the Government immediately before proceeding on such leave, in addition to the study allowance admissible under Rule 50 to 52 of these rules.”

“(2) During study leave availed in India a Govt. Servant shall draw leave salary equal to the pay (without any allowance other than dearness allowance) that the Govt. servant drew while on duty with the Govt. immediately before proceeding on such leave.”

Sd/-

B.B. Bhattacharjee,
29-3-89.

F.P. & Deputy Secretary to the
Govt. of Tripura.

AMENDMENT - 2

**No.F.1(1)-FIN(G)/78
Government of Tripura
Finance Department**

Dated, Agartala, the 22nd June, 1992.

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura has been pleased to make the following rules further to amend the Tripura State Civil Services (Leave) Rules, 1986, namely :-

1. Short title and commencement. —

- (1) These rules may be called the Tripura State Civil Services (Leave) (Second Amendment) Rules, 1992.
- (2) They shall be deemed to have come into force on and from the 1st day of January, 1992.

2. Amendment of Rule 27. - In Rule 27 of the Tripura State Civil Services (Leave) Rules, 1986 (here in after referred to as the principal rules) -

- (a) for the capital letter 'A', the small letter 'a' shall be substituted ; and before the small letter 'a' as so substituted, the words "subject to the provision of sub-rule (4)" shall be inserted.
- (b) after sub-rule (3) and the notes there under, the following sub-rule shall be inserted namely :-
 - (4) Teaching and non-teaching staff of Government schools (Higher Secondary, High, Junior High, Senior Basic, Primary, Junior Basic), Basic Training Colleges and Sanskrit Vidyabhavan are entitled to earn ten days Earned Leave a year. The leave Account shall be credited with Earned Leave in advance (in two instalments of five days each in case of two full half year) on the first day of

January and July in every calendar year.

Provided that total period of Earned Leave including leave earned under proviso to clause (a) of sub-rule (2) of 27 shall not exceed thirty days a year.

Provided further that the employees specified above shall be entitled to enjoy puja holidays for a total period not exceeding eighteen calendar days a year (fifteen days during Durga Puja and three days during Kalipuja) and that they shall be allowed to avail Earned Leave in not more than two spells in a year.

3. Amendment of rule 28. After clause (a) of sub-rule (1) of rule 28 of the principal Rules, the following proviso shall be inserted, namely:—

“Provided that all staff as specified, in sub-rule (4) of rule 27 shall be entitled to half pay leave of ten days in respect of each completed year of service”.

Sd/-

(K. P. Goswami)
Joint Secretary to the
Govt. of Tripura.

AMENDMENT – 3

**No.F.1(1)-FIN(G)/78
Government of Tripura
Finance Department**

Dated, Agartala, the 29th September, 1992.

NOTIFICATION

In exercise of the Power conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura has been pleased to make the following rules further to amend the Tripura State Civil Services (Leave) Rules, 1986, namely :-

1. (i) These rules may be called the Tripura State Civil Services (Leave) (Third Amendment) Rules, 1992.

(ii) They shall come into force on the date of publication.
2. For rule 39-A of the said rules, the following rules shall be substituted namely: —

“39-A. Leave to female Government servant on adoption of child.:
A female Government servant on adoption of a child, may be granted leave of the kind due and admissible (including leave due and commuted leave not exceeding 60 days without production of Medical Certificate) for a period up to one year of till such time the child is one year old, whichever is earlier. However, this facility will not be admissible in case she is already having two surviving children at the time of adoption”.

Sd/-
(S. K. Das)
Joint Secretary
Government of Tripura.

AMENDMENT – 4

**No.F.1(1)-FIN(G)/78
Government of Tripura
Finance Department**

Dated, Agartala, the 21st March, 1995.

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura is pleased to make amendments to the Tripura State Civil Services (Leave) Rules, 1986, to the extent indicated in paragraph-3 below ;

2. (i) These rules may be called the “Tripura State Civil Services (Leave) (Fourth Amendment) Rules, 1995”.
- (ii) These shall be deemed to have come into force from the 1st day of April, 1995.
3. Rule-39 of the Rules ibid shall be substituted by the following: —

RULE-39. MATERNITY LEAVE

- (1) Maternity Leave may be granted by an authority, competent to grant leave, to a female government servant (including an apprentice) with less than two surviving children for a period of 120 days from the date of its commencement. During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (2) Maternity Leave may also be granted in case of miscarriage, including abortion, subject to the following conditions:—
 - (a) The leave does not exceed 45 (forty-five) days in the entire career of a female government servant (including an apprentice);
 - (b) Abortion will not include “threatened” abortion and

Maternity Leave will not be granted in case of "threatened abortion";

- (c) the application for the leave is supported by a Medical Certificate as laid down in Rule – 18 or Rule – 19, as the case may be ;
- (3) (a) Maternity Leave may be combined with leave of any other kind.
- (b) Notwithstanding the provisions contained in Sub-Rule (1) of Rule-29, any leave (including commuted leave) for a period not exceeding sixty days, applied for a continuation of maternity leave, may be granted without production of Medical Certificate.
- (4) Leave in further continuation of leave granted under Clause (b) of Sub-Rule (3) may be granted on production of a Medical Certificate for the illness of the female Government Servant. Such leave may also be granted in case of illness of a newly born baby subject to production of medical certificate to the effect that the condition of the alling baby warrants mother's personal attention and that her presence by the baby's side is absolutely necessary.
- (5) The maternity leave shall not be debited against the leave account.

Sd/-
(S. N. SAHA)
DEPUTY SECRETARY
GOVERNMENT OF TRIPURA

AMENDMENT - 5

No.F.1(1)-FIN(G)/79
Government of Tripura
Finance Department

Dated, Agartala, the 5th July, 1996.

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura has been pleased to make the following rules further to amend the Tripura State Civil Services (Leave) Rules, 1986 as follows: —

1. Short title and commencement: —
 - (1) These rules may be called the Tripura State Civil Services (Leave) (Fifth Amendment) Rules, 1996.
 - (2) They shall come into force on the first day of July, 1996.
2. Amendment of rule 47.--- In rule 47 of the Tripura State Civil Services (Leave) Rules, 1986, for sub-rule (2), the following sub-rule shall be substituted, namely :—

“(2) Study Leave may be combined with any other leave due, but maximum period of continuous absence, including vacation, if any, but excluding extraordinary leave shall not exceed twenty eight months generally, and thirty six months for courses of study leading to Ph.D. Degree and Post Graduate Degree in Medical Science.”

By order of the Governor,
Sd/-

(S. N. Saha)

Deputy Secretary to the
Government of Tripura.

AMENDMENT – 6

No.F.1(1)-FIN(G)/78
Government of Tripura
Finance Department

Dated, Agartala, the 22nd December, 1998.

NOTIFICATION

In exercise of the power conferred by the proviso to Article 309 of the Constitution of India and all other power enabling him in this behalf, the Governor of Tripura has been pleased to make the following rules further to amend the Tripura State Civil Services (Leave) Rules, 1986, namely: —

(i) These Rules may be called the Tripura State Civil Services (Leave) (6th Amendment) Rules, 1998.

(ii) They shall come into force on the date of publication.

2. For Rule 39(1)(a) of the said Rules, the following rules shall be substituted :-

“39(1)(a) maternity leave for a period of 120 days may also extended to a female government servant (including an apprentice) less than two surviving children on adoption of a child subject to the following conditions :-

(a) If the age of the child is more than 5 (five) years, this benefit may not be extended.

(b) The leave shall be admissible only on production of a certificate from the doner person/agency to the effect that the child has been donated for adoptions.

3. Rule 39A – this Rule is deleted.

Sd/-
(MANOJ KUMAR)
JOINT SECRETARY,
GOVERNMENT OF TRIPURA.

AMENDMENT - 7

**GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT**

NO.F.1(1)-FIN(G)/78

Dated, Agartala, the 5th July, 2011.

NOTIFICATION

In exercise of the power conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura has been pleased to make the following rules further to amend the Tripura State Civil Services (Leave) Rules, 1986, namely :-

- (i) These Rules may be called the Tripura State Civil Services (Leave) (Seventh Amendment) Rules, 1986.
 - (ii) They shall come into force w.e.f. 01-01-2011.
2. Below Rule 25(1)(a) following proviso shall be inserted :-

“Provided that the non-gazetted TSR personnel shall be allowed to exercise option either to the entitlement of existing Special Compensatory Allowance or crediting of additional 30(thirty) days Earned Leave in a calendar year subject to total limit of 300 days during whole service. The credit of additional leave shall be made in the manner as stipulated in Rule 25(1)”.

By order of the Governor

Sd/-

(A. Roy)

Joint Secretary to the
Government of Tripura.

AMENDMENT – 8

**No.F.1(1)-FIN(G)/78
Government of Tripura
Finance Department**

Dated, Agartala, the 19th November, 2011.

NOTIFICATION

In exercise of the power conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura is pleased to make the following rules further to amend the Tripura State Civil Services (Leave) Rules, 1986, namely :-

(i) These Rules may be called the Triura State Civil Services (Leave) (Eighth Amendment) Rules, 1986 ;

(ii) They shall come into force on the date of publication.

2. In Rule 39(1), the figures '120' will be substituted by '180' in the third line.

By order of the Governor
Sd/-
(A. Roy)
Joint Secretary to the
Government of Tripura.

AMENDMENT – 9

GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT

NO.F.1(1)-FIN(G)/78

Dated, Agartala, the 26th June, 2012.

NOTIFICATION

In exercise of the power conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura is pleased to make the following rules further to amend the Tripura State Civil Services (Leave) Rules, 1986, namely :-

- (i) These Rules may be called the Tripura State Civil Services (Leave) (Ninth Amendment) Rules, 1986.
- (ii) They shall come into force on and from the date of issue of this Notification.

2. Below Rule 39(A), following shall be inserted :

39(B) : Paternity Leave :

- (i) Paternity Leave may be granted by an authority competent to grant leave to a male government servant (including an apprentice) with less than two surviving children for a period of 7 (seven) days at the time of delivery of child(s). During the period he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (ii) It shall not be debited against the leave account and may be combined with any other kind of leave (as in the case of Maternity leave). It shall not be refused under any circumstances. Paternity Leave too, like Maternity Leave can be sanctioned only in a single spell.

Sd/-

(R. Deb Barma)

Deputy Secretary to the
Government of Tripura.

AMENDMENT – 10

**GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT**

NO.F.1(1)-FIN(G)/78

Dated, Agartala, the 12th November,2012.

NOTIFICATION

In exercise of the power conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura is pleased to make the following rules further to amend the Tripura State Civil Services (Leave) Rules, 1986, (as corrected up to 26th April, 1997), namely :-

(i) These Rules may be called the Tripura State Civil Services (Leave) (10th Amendment) Rules, 2012.

(ii) They shall come into force on and from 1st December, 2012.

2. The word 'ten' appearing in third line of sub-rule 4 of Rule 27 of the TSCS (Leave) Rules, 1986 shall be substituted by the word 'twenty' and it be credited in two instalments in existing mode proportionately.

By order of the Governor

Sd/-

Deputy Secretary to the
Government of Tripura.

AMENDMENT – 11

GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT

NO.F.1(1)-FIN(G)/78

Dated, Agartala, the 20th June, 2013

NOTIFICATION

In exercise of the power conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura is pleased to make the following rules further to amend the Tripura State Civil Services (Leave) Rules, 1986 (as corrected up to 26th April, 1997), namely:—

- (i) These Rules may be called the Tripura State Civil Services (Leave) (11th Amendment) Rules, 2013;
- (ii) They shall come into force with immediate effect.

2. Below the existing provision of the Rule 12, following shall be inserted:—

- (i) A government servant shall be deemed to have resigned from the service if he —
 - (a) is absent without authorization for a period of one year; or
 - (b) remains absent from duty for a continuous period of five years, with or without leave; or
 - (c) continues on foreign service beyond the period approved by the Government :

Provided that a reasonable opportunity to explain the reason for such absence or continuation on foreign service shall be given to the servant before the provisions of this rules are invoked.

By order of the Governor,
Sd/-

(R. Deb Barma)
Deputy Secretary of the
Government of Tripura.

AMENDMENT OF FIRST SCHEDULE**Government of Tripura
Department of Finance**No.F.1(1)-FIN(G)/87 Dated, Agartala, the 26th October, 1999**NOTIFICATION**

In exercise of the power conferred by Article 309 of the Constitution of India and all other powers enabling him in that behalf, the Governor of Tripura is pleased to make the following rules to amend the Tripura State Civil Services (Leave) Rules, 1986, namely:—

- Short title & Commencement 1. (i) These Rules may be called the Tripura State Civil Services (Leave) (Amendment) Rules, 1999.
- (ii) They shall come into force on the date of their publication in the Tripura Gazette.*
- Amendment of first Schedule 2. For the First Schedule to the Tripura State Civil Services (Leave) Rules, 1986 the following Schedule shall be substituted namely:—

[THE FIRST SCHEDULE]*(See Rule 3(b))***AUTHORITIES COMPETENT TO GRANT LEAVE**

Kind of leave	Status of employees	Authority competent to grant leave.
1	2	3
Earned leave, Half pay Leave, Leave not due, Extraordinary leave, Maternity leave, Study leave, Special Disability leave etc.	(a) Principal Secretary, Commission/Secretaries of the Deptt. Director General of Police/ P.C.C.F. (b) In the Secretariat. (i) Non-Gazetted. (ii) Gazetted.	Chief Secretary with the approval of Chief Ministerial i) Head Office of the concerned Department.

* Published in Tripura Gazette, Part I, November 13, 1999 A.D.

	(c) Heads of Deptt. Except Secretary.	ii) Secretary of the Department, Secretary of the Deptt. Dead of Deptt.
	(d) District Level officers and Head of State Level Institutions except Head of the Deptt.	
	(e) Office of Head of Deptt. i) Non-Gazetted. ii) Gazetted.	i) Head of Office, ii) Head of Deptt.
	(f) All Heads of Offices & others Officer Senior to Head of Office at the District.	Head of the District of the concerned Department.
	(g) All Gazetted Officer Junior of Head of Office & Non- Gazetted employees.	Head of Office.

NOTE:—1. A copy of the sanction order shall be sent by the sanctioning authority to the authority maintaining the service books for incorporation in the leave account. A duplicate leave account shall be maintained in the office of leave sanctioning authority. All sanctioned leave shall be incorporated in the duplicate leave account and shall be certified by the leave sanctioning authority. The authority maintaining the service book shall prepare a duplicate leave account and send the same to the leave sanctioning authority. Any disputed leave shall be indicated in the leave account. At the end of the calendar year, an extract of the leave account shall be sent by the leave sanctioning authority to the authority maintaining the service book for incorporation and reconciliation. When a Government servant is transferred the duplicate leave account shall be sent by the leave sanctioning authority to the new leave sanctioning authority.

NOTE:—2. If the Government servant is in foreign service

- (i) the authority which sanctioned the transfer to foreign service.
- (ii) Foreign employer power to be exercised only in respect of earned leave not exceeding 120 days and while taking decision to grant or refuse leave preparatory to retirement,

prior concurrence of the lending authority under the State Govt. Shall be obtained as provided in sub-rule (2) of Rule 34.

NOTE:—3. If the Govt. servant is serving with any other Govt. the authority as may be specified by that Government:

- (a) While taking decision to grant or refuse leave preparatory to retirement, prior concurrence of the lending authority under the State Govt. shall be obtained;
- (b) In case, the leave is so refused in public interest, it may be availed of by the Govt. servant to the extent admissible under Rule 35 from the date of his quitting service;
- (c) In case the lending authority under the State Govt. is not agreeable to the refusal of leave preparatory retirement it shall be granted to the Govt. servant and if the borrowing Govt. needs the services of the officer during the period, the Govt. servant may re-employed by that Govt. concurrently with the leave preparatory to retirement and leave salary regulated in accordance with the provisions of Rule 36.

Sd/-

(N. C. SEN)

Joint Secretary to the
Government of Tripura.

16692

GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT

NO.F.1(1)-FIN(G)/86

Dated, Agartala, the 12th DEC 2017



NOTIFICATION

In exercise of the power conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura is pleased to make following rules further to amend the Tripura State Civil Service (Leave) Rules, 1986 namely:-

- (i) These Rules may be called the Tripura State Civil Service (Leave) Rules (Thirteenth Amendment) Rules, 1986.
- (ii) They shall come into force on and from the date of issue of this Notification.

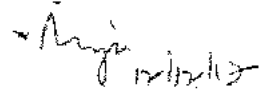
2. Below Rule 39(B), the following shall be inserted:

39(C): Child Care Leave: A woman Government servant having minor children below the age of 18 (eighteen) years may be granted Child Care leave (CCL), by an authority competent to grant leave, for a maximum period of two years (i.e, 730 days) during the entire service for taking care of upto two children whether for rearing or to look after any of their needs like examination, sickness etc. subject to the following conditions:-

- (i) Child Care Leave shall not be admissible, if the child is eighteen years of age or older.
- (ii) During the period of Child Care Leave, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (iii) Child Care Leave may be availed of in more than one spell.
- (iv) Child Care Leave shall not be debited against the leave account.
- (v) Child Care Leave may be combined with leave of any other kind, due and admissible.
- (vi) The nature of Child Care Leave shall be like Earned Leave and therefore, 2nd & 4th Saturdays, Sundays, Gazetted Holidays etc. falling during the period of leave would also be counted for Child Care Leave, as in case of Earned Leave.
- (vii) Child Care Leave shall not be demanded as a matter of right and under no circumstances can any employee proceed on Child Care Leave without prior sanction of leave by the competent authority.
- (viii) The period of willful absence or unauthorized absence shall not be converted into Child Care Leave.

Mujin

- (ix) Child Care Leave shall not ordinarily be granted during the probation period except in case of certain extreme situation where the leave sanctioning authority is fully satisfied about the need of Child Care Leave to the probationer. It may also be ensured that period for which such leave is sanctioned during the probation is minimal.



(M. Nagaraju, IAS)
Principal Secretary to
the Government of Tripura.

16523

GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT



NO.F.1(1) FIN(G)/86

Dated, Agartala, the 31st October, 2018

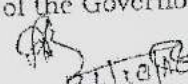
NOTIFICATION

In exercise of the power conferred by the proviso in Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Tripura is pleased to make the following rules further to amend the Tripura State Civil Services (Leave) Rules, 1986 namely:-

- i) These Rules may be called the Tripura State Civil Services (Leave) Rules (14th Amendment) Rules, 2018.
- ii) They shall come into force on and from 1st April, 2018

2. The words "**permanent or temporary**" appearing in second line of sub rule 1 of Rule 41 of the Tripura State Civil Services (Leave) Rules, 1986 shall be substituted by the words "**permanent or temporary or re-employment**" for the purpose of special disability leave for accidental injury while performing official duty.

By order of the Governor,


(A Debbafma)
Under Secretary to the
Government of Tripura

To

1. The Addl. Chief Secretary to the Governor, Tripura.
2. All Departments/Heads of Departments/Heads of Offices, Government of Tripura.
3. All Addl. Chief Secretaries/Principal Secretaries/Secretaries/Special Secretaries, Government of Tripura
4. PS/PA to all Ministers, Government of Tripura.
5. PS/PA to Chief Secretary, Government of Tripura
6. The Secretary, TLA, Government of Tripura
7. The Registrar, High Court of Tripura, Agartala
8. The Secretary, TPSC, Agartala
9. The Accountant General (Audit), Tripura, Agartala.
10. The Deputy Accountant General (A&E), Tripura, Agartala.
11. All Treasury/Sub-Treasury Officer, Tripura.
12. Web Administrator, Finance Department to upload the same in Finance Department's Website.
13. The Director, GA(Printing & Stationary) Department, Tripura, Agartala with request to publish the issue in the next Tripura Gazette.



16306

GOVERNMENT OF TRIPURA
DEPARTMENT OF FINANCE
SECRETARIAT : TRIPURA



Agartala, 2 September 2019

No.F.1(1)-FIN(G)/86

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Tripura is pleased to make the following Rules to further amend the Tripura State Civil Services (Leave) Rules, 1986 (hereinafter referred to as the 'Principal Rules'), namely :

1] Short title and commencement :

- (i) These Rules may be called the 'Tripura State Civil Services (Leave) (Fifteenth Amendment) Rules, 2019';
- (ii) They shall come into force on and from the date of issue of this Notification.

2] Insertion of Rule 39(D) in the Principal Rules :

2.1] After clause (ix) of Rule 39(C) of the the Principal Rules read with the Tripura State Civil Services (Leave) (Thirteenth Amendment) Rules, 2017; a new Rule '(39D)' shall be inserted as below :

"(39D) Child Care Leave for the woman Government servant having disabled/ mentally challenged children : The woman Government servant having disabled / mentally challenged child may be granted Child Care Leave for a maximum period of two years (i.e. 730 days) up to the age of 22 years of such category of child for taking care of up to two children subject to conditions (ii) to (viii) of Rule 39(C) of the Principal Rules. Documents relating to the disability as well as a declaration of the concerned Government servant regarding dependency of the child shall have to be submitted to the competent authority."

By order of the Governor,

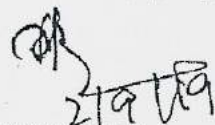
(A. DEBBARMA)
Under Secretary to the
Government of Tripura
D.No.21(16)SW/DC/2015(VOL-III)
Dist.Empl.&Inv.NOTIFICATION-IV/1

GF/Leave Section
Submrey

To
Secretary In-charge of all Departments / all Heads of Departments.

Copy forwarded to :

1. The Principal Secretary/ Secretary to the Governor of Tripura, Agartala.
2. The Principal Secretary/ Secretary to the Chief Minister, Tripura, Agartala.
3. PS/PA to all Ministers, Tripura.
4. Joint Secretary/PS/PA to the Chief Secretary, Tripura.
5. The Secretary, Tripura Legislative Assembly, Agartala.
6. The Registrar, High Court of Tripura, Agartala.
7. The Secretary, TPSC, Agartala.
8. The Accountant General (Audit), Tripura, Agartala.
9. The Account General (A&E), Tripura, Agartala.
10. The Director, General Administration (P&S) Department for publication in the next Tripura Gazette.
11. The Joint Secretary, GA (C & C) Department, Agartala for information in reference to the Memo. No.F.1(15)-GA(CAB)/2002 dated 22 August 2019.
12. All Treasury/Sub-Treasury Officers, Tripura.
13. Web Administrator, Finance Department for uploading in the State Government Website / Finance Department website.



(A. DEBBARMA)
Under Secretary to the
Government of Tripura
B&D.F.N.Z(169)SW/DC/2015(VOL-III)
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GOVERNMENT OF TRIPURA
DEPARTMENT OF FINANCE
SECRETARIAT : TRIPURA

NOf.1(1)-FIN(G)/86/

Dated, Agartala, the 30th March, 2020

N O T I F I C A T I O N

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Tripura is pleased to make the following Rules to further amend the Tripura State Civil Services (Leave) Rules, 1986 (herein after referred to as the 'Principal Rules'), namely;

- 1) Short title and commencement :
 - (i) These Rules may be called the Tripura State Civil Services(Leave) (Sixteenth Amendment) Rules, 2020;
 - (ii) They shall come into force on and from the date of issue of this Notification.

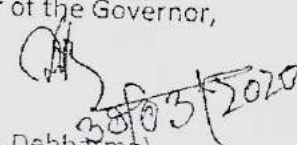
- 2) After clause Rule 42 of the Principal Rules read with the Tripura State Civil Services(Leave) (Sixteenth Amendment)Rules 2020;
A new para (C) under Sub Rule 2 of the Rule 42 shall be inserted as below :
 - (c) For the purpose of sub rule(1) Novel Corona Virus(COVID-19) disease, may be considered as an infectious disease

3. A new sub rule (6) under Rule 42 shall be inserted as below :

To contain the spread of Novel Corona virus (COVID 19), special quarantine leave up to 14 days can be sanctioned by the Head of the Department without medical certificate subject to his/her satisfaction on

 - (i) Symptom(s) of Novel Corona virus (COVID 19) disease/infection in the Govt. employee/family members as the case may be.
 - (ii) Travel history of the employee/ family members to countries identified for the outbreak of Novel Corona virus (COVID 19) disease by the International Health Organization(s)/Govt. of India/Govt. of Tripura advisories from time to time.
 - (iii) On satisfying with contact history of person with person(s) found to have Novel Corona Virus (COVID 19) disease positive test/Contact with person having record of travel history from corona virus outbreak countries etc.

By order of the Governor,


(A. Debbarma)


Under Secretary to the
Government of Tripura

To

Secretary In-charge of all Departments/ all Head of Departments.

Copy forwarded to :-

1. Secretary to the Hon'ble Governor of Tripura, Agartala.
2. Special Secretary/Secretary to the Chief Minister, Tripura, Agartala.
3. P.S. to the Hon'ble Minister, Finance Department, Tripura, Agartala
4. PS/PA to all Ministers, Tripura, Agartala.
5. The PS/PA to the Chief Secretary, Govt. of Tripura, Agartala.
5. The Secretary, Tripura Legislative Assembly, Agartala.
6. The Registrar, High Court of Tripura, Agartala.
7. The Secretary, TPSC, Agartala.
8. The Accountant General (Audit), Tripurra, Agarala.
9. The Accountant General (A&E), Tripura, Agarala.1
10. The Director, General Administration (P&S) Department for publication in the next Tripura Gazette.
11. Joint Secretary, GA(C&C) Department, Agartala for information in the reference to the Memo. No. F. 1(1)-FIN(G)/86 dated 24.03.2020.
12. All Treasury/Sub-Treasury Officers, Tripura.
13. The Web Administrator, Finance Department with request to upload the same in Finance Department's portal.


(A. Debbanna)
30/03/2020
Under Secretary to the
Government of Tripura